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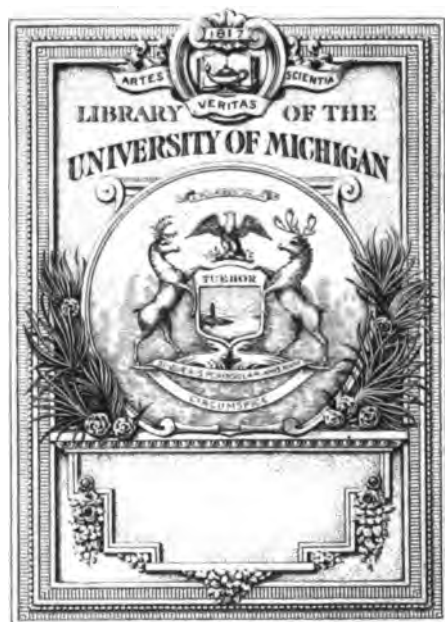
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JOURNAL

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OF THE

SENATE

OF THE

STATE OF NEW YORK

AT THEIR

ONE HUNDRED AND THIRTIETH SESSION

BEGUN AND HELD AT THE CAPITOL IN THE CITY OF ALBANY,
ON WEDNESDAY, THE SECOND DAY OF JANUARY, 1907

VOLUME I



ALBANY

J. B. LYON COMPANY, STATE PRINTERS

1907

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JOURNAL OF THE SENATE.

STATE OF NEW YORK:

SENATE CHAMBER, IN THE CITY OF ALBANY,

WEDNESDAY, JANUARY 2, 1907.

Pursuant to the sixth section of the tenth article of the Constitution of the State of New York, designating the first Wednesday in January of each year for the time of the meeting of the Legislature, the Senate convened, Hon. Lewis Stuyvesant Chanler, Lieutenant-Governor, presiding.

Prayer by Rev. W. C. Doane.

STATE OF NEW YORK, ss.:

We, the Secretary of State, Comptroller, Treasurer, Attorney-General and State Engineer and Surveyor, of the said State, having formed a Board of State Canvassers, and having canvassed and estimated the whole number of votes cast for all the candidates for the office of Senator, in the several Senate districts of said State, at the general election held in said State on the sixth day of November, nineteen hundred and six, according to the certified statements of the said votes received by the Secretary of State, in the manner directed by law, do hereby determine, declare and certify that the following named persons respectively, by the greatest number of votes given in the said several Senate districts of the said State, at the said election, were duly elected Senators of this State, to wit:

| | |
|-----------------------|---------------------|
| First District..... | CARLL S. BURR, JR. |
| Second District..... | DENNIS J. HARTE. |
| Third District..... | THOMAS H. CULLEN. |
| Fourth District..... | OTTO G. FOEIKER. |
| Fifth District..... | JAMES A. THOMPSON. |
| Sixth District..... | EUGENE M. TRAVIS. |
| Seventh District..... | PATRICK H. MCCARREN |

| | |
|------------------------------|--------------------------|
| Eighth District..... | CHARLES H. FULLER. |
| Ninth District..... | CONRAD HASENFLUG. |
| Tenth District..... | ALFRED JOHN GILCHRIST. |
| Eleventh District..... | DOMINICK F. MULLANEY. |
| Twelfth District..... | WILLIAM SOHMER. |
| Thirteenth District..... | CHRISTOPHER D. SULLIVAN. |
| Fourteenth District..... | THOMAS F. GRADY. |
| Fifteenth District..... | THOMAS J. McMANUS. |
| Sixteenth District..... | JOHN T. McCALL. |
| Seventeenth District..... | GEORGE B. AGNEW. |
| Eighteenth District..... | MARTIN SAXE. |
| Nineteenth District..... | ALFRED R. PAGE. |
| Twentieth District..... | JAMES J. FRAWLEY. |
| Twenty-first District..... | JAMES OWENS. |
| Twenty-second District..... | JOHN P. COHALAN. |
| Twenty-third District..... | FRANCIS M. CARPENTER. |
| Twenty-fourth District..... | JOHN C. R. TAYLOR. |
| Twenty-fifth District..... | SANFORD W. SMITH. |
| Twenty-sixth District..... | JOHN N. CORDTS. |
| Twenty-seventh District..... | JOTHAM P. ALLDS. |
| Twenty-eighth District..... | WILLIAM J. GRATTAN. |
| Twenty-ninth District..... | FRANK M. BOYCE. |
| Thirtieth District..... | H. WALLACE KNAPP. |
| Thirty-first District..... | WILLIAM W. WEMPLE. |
| Thirty-second District..... | JAMES A. EMERSON. |
| Thirty-third District..... | SETH G. HEACOCK. |
| Thirty-fourth District..... | WILLIAM T. O'NEIL. |
| Thirty-fifth District..... | GEORGE H. COBB. |
| Thirty-sixth District..... | JOSEPH ACKROYD. |
| Thirty-seventh District..... | FRANCIS H. GATES. |
| Thirty-eighth District..... | HORACE WHITE. |
| Thirty-ninth District..... | HARVEY D. HINMAN. |
| Fortieth District..... | OWEN CASSIDY. |
| Forty-first District..... | BENJAMIN M. WILCOX. |
| Forty-second District..... | JOHN RAINES. |
| Forty-third District..... | WILLIAM J. TULLY. |
| Forty-fourth District..... | S. PERCY HOOKER. |
| Forty-fifth District..... | THOMAS B. DUNN. |
| Forty-sixth District..... | WILLIAM W. ARMSTRONG. |
| Forty-seventh District..... | STANISLAUS P. FRANCHOT. |
| Forty-eighth District..... | HENRY W. HILL. |
| Forty-ninth District..... | SAMUEL J. RAMSPERGER. |
| Fiftieth District..... | GEORGE A. DAVIS. |
| Fifty-first District..... | ALBERT T. FANCHER. |

Given under our hands at the office of the Secretary of State of said State, in the city of Albany, the eighteenth day of December, in the year of our Lord, one thousand nine hundred and six.

JOHN F. O'BRIEN,
Secretary of State.

WM. C. WILSON,
Comptroller.

JNO. G. WALLENMEIER, JR.,
Treasurer.

JULIUS M. MAYER,
Attorney-General.

HENRY A. VAN ALSTYNE,
State Engineer and Surveyor.

STATE OF NEW YORK, { ss.:
Office of the Secretary of State,

I certify that I have compared the foregoing with an original certificate filed in this office, and that the same is a correct transcript therefrom, and of the whole of such original.

Given under my hand and seal of office, at the city of
[SEAL] Albany, this second day of January; nineteen hundred and seven.

JOHN S. WHALEN,
Secretary of State.

The oath of office was administered to those Senators who had not already taken it.

The clerk called the roll and the following Senators responded:

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCall | Smith |
| Agnew | Davis | Grady | McCarren | Sohmer |
| Allds | Dunn | Grattan | McManus | Sullivan |
| Armstrong | Emerson | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | | | | |

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The President addressed the Senate as follows:

Senators, as Lieutenant-Governor I appreciate the honor of presiding over the Senate and I also appreciate the responsibility which that honor carries with it. I shall endeavor to act fairly

and impartially and in so far as I do so act I shall expect your support. Without such support I can accomplish little, with your support we should accomplish much.

Mr. Allds offered the following:

Resolved, That Lafayette B. Gleason be, and he hereby is, elected Clerk of the Senate for the years 1907 and 1908.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCall | Smith |
| Agnew | Davis | Grady | McCarren | Sohmer |
| Allds | Dunn | Grattan | McManus | Sullivan |
| Armstrong | Emerson | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | | | | |

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Mr. Grattan offered the following:

Resolved, That Charles R. Hotaling be, and he hereby is, elected Sergeant-at-Arms of the Senate for the year 1907.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Wilcox offered the following:

Resolved, That Everett Brown be, and he hereby is, elected Assistant Sergeant-at-Arms of the Senate for the year 1907.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Davis offered the following:

Resolved, That Christopher Warren be, and he hereby is, elected Principal Doorkeeper of the Senate for the year 1907.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Hinman offered the following:

Resolved, That Fred S. Maine be, and he hereby is, elected First Assistant Doorkeeper of the Senate for the year 1907.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Burr offered the following:

Resolved, That James C. Marriott be, and he hereby is, elected Stenographer of the Senate for the year 1907.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Armstrong offered the following:

Resolved, That a committee of two be appointed to inform the Governor that the Senate is organized and ready to proceed to business.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Armstrong and Frawley.

Mr. Allds offered the following:

Resolved, That a committee of two be appointed to inform the Assembly that the Senate is organized and ready to proceed to business.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Allds and Thompson.

Mr. Grattan offered the following:

Resolved, That the Clerk be requested to invite the clergymen of Albany and vicinity to open the daily sessions of the Senate with prayer.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. White offered the following:

Resolved, That there shall be the following standing committee of the Senate, namely:

To consist of eleven members each:

Finance.

Judiciary.

Affairs of Cities.

Railroads.

To consist of nine members each:

Canals.

Commerce and Navigation.

Codes.

Insurance.

Taxation and Retrenchment.

To consist of seven members each:

Banks.

Forest, Fish and Game Laws.

Internal Affairs of Towns and Counties.

Military Affairs.

Miscellaneous Corporations.

Public Education.

Public Health.

Penal Institutions.

Revision.

Affairs of Villages.

Agriculture.

Privileges and Elections.

To consist of five members each:

Printed and Engrossed Bills.

Indian Affairs.

Trade and Manufactures.

Public Printing.

To consist of three members:

Rules.

That said committees, and all committees of the Senate, including joint and conference committees, be appointed during the years 1907 and 1908 by the temporary President unless otherwise ordered.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Carpenter offered the following:

Resolved, That the Senator from the Forty-second and the Senator from the Fourteenth be added to the committees on finance, the judiciary, and affairs of cities, when appointed.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Hill offered the following:

Resolved, That the Clerk of the Senate be, and he is hereby, authorized to make necessary arrangements for the payment of

postage and express charges on mail matter and documents transmitted through the Senate post-office, and for cartage and transportation of same to and from the general post-office of the city of Albany for the years 1907 and 1908.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCall | Smith |
| Agnew | Davis | Grady | McCarren | Sohmer |
| Allds | Dunn | Grattan | McManus | Sullivan |
| Armstrong | Emerson | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | | | | |

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Mr. White in the Chair:

Mr. Armstrong offered the following:

Resolved, That John Raines be, and he hereby is, elected Temporary President of the Senate for the years 1907 and 1908.

Mr. McCarren offered the following substitute:

Resolved, That Thomas F. Grady be, and he hereby is, elected Temporary President of the Senate for the years 1907 and 1908.

The President put the question whether the Senate would agree to said substitute, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|---------|-----------|----------|------------|----------|
| Ackroyd | Frawley | McCall | Owens | Sullivan |
| Boyce | Fuller | McCarren | Ramsperger | Taylor |
| Cohalan | Harte | McManus | Sohmer | Thompson |
| Cullen | Hasenflug | Mullaney | | |

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FOR THE NEGATIVE.

| | | | | |
|-----------|---------|-----------|--------|--------|
| Agnew | Cordts | Franchot | Hinman | Smith |
| Allds | Davis | Gates | Hooker | Travis |
| Armstrong | Dunn | Gilchrist | Knapp | Tully |
| Burr | Emerson | Grattan | O'Neil | Wemple |
| Carpenter | Fancher | Heacock | Page | White |
| Cassidy | Foelker | Hill | Saxe | Wilcox |
| Cobb | | | | |

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The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Knapp | Smith |
| Agnew | Cullen | Gilchrist | McCall | Sohmer |
| Allds | Davis | Grady | McCarren | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Heacock | Owens | Tully |
| Cassidy | Franchot | Hill | Page | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |

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The President appointed Messrs. Grady and Hinman a committee to escort the Temporary President to the chair.

Mr. Raines addressed the Senate as follows:

“Mr. Chairman, Senators and Colleagues — I prize most highly this expression of good will and confidence on the part of my colleagues of the majority, and when there is added to this an expression of good will on the part of the minority, I am at a loss for words in which to make suitable acknowledgement of the honor you have done me, and especially of my great pleasure at the personal friendship you manifest.

If, in the four years during which I have occupied the position of Temporary President, I have been able to secure your confidence, I shall endeavor to retain it by impartially performing the duties of the position. It has been many years since the Senate met under somewhat similar conditions to those of the present. There is some little difference of opinion now, as to the proper answer to the question, “Who are the people?” But there is no difference of opinion as to the duties of those chosen to represent the people. The obligation rests upon each alike, no matter what his party support may have been, to put forth his best efforts to conserve the interests of the State. I believe we fully understand that each of us will endeavor to square his conduct with his duty.

We miss, to-day, on both sides of this chamber many faces of old time associates. We welcome their successors to the duties which our friends have laid down. We miss especially the presence of our former Lieutenant-Governor, M. Linn Bruce, the friend of all who served with him. We have, as his successor, a gentleman with whom most of us have yet to become acquainted. The duties of the position he occupies are often perplexing and onerous. He will need, as shall I, with all my experience, your

assistance and your support, and I wish to say to him that as I bespeak that aid and support for myself, I can answer for the majority that we will endeavor to render to him loyal aid, as the President of the Senate.

Again, Senators, I thank you for this mark of your confidence."

The President resumed the chair.

The committee appointed to inform the Assembly that the Senate is organized and ready for business returned and reported that they had performed that duty.

The committee appointed to inform the Governor that the Senate is organized and ready for business returned and reported that they had performed that duty.

Mr. Davis offered the following:

Resolved, That a committee of two be appointed to wait upon the Governor and inform him of the election of Hon. John Raines as Temporary President of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee Messrs. Davis and Ramsperger.

Mr. Wilcox offered the following:

Resolved, That a committee of two be appointed to wait upon the Assembly and inform that body of the election of Hon. John Raines as Temporary President of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee Messrs. Wilcox and McManus.

Mr. Raines offered the following:

Resolved (if the Assembly concur), That when the Legislature adjourn this day it be to meet on Wednesday, January 9th, at 8:30 o'clock p. m.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk transmit the said resolution to the Assembly and request their concurrence therein.

The Assembly returned the said resolution with a message that they have concurred in the passage of the same without amendment.

The committee appointed to inform the Governor of the election of Hon. John Raines as Temporary President of the Senate returned and reported that they had performed that duty.

The committee appointed to inform the Assembly of the election of Hon. John Raines as Temporary President of the Senate returned and reported that they had performed that duty.

Messrs. Patton and Oliver, a committee from the Assembly, appeared in the Senate Chamber and informed the Senate that the Assembly is organized and ready for business.

The Governor, at the hands of his secretary, transmitted to the Senate his annual message:

(See Appendix.)

Mr. Raines moved that the message of the Governor be printed and lie upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Grady introduced a bill (Int. No. 1) entitled "An act to amend the Greater New York charter, by inserting therein a new chapter creating a board of control of public utilities in the city of New York, and defining the purpose, duties and powers of such board," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Saxe introduced a bill (Int. No. 2) entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to elections, constituting chapter 6 of the general laws,' relating to recounting and recanvassing the votes and judicial investigation of ballots cast at elections heretofore and hereafter held," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 3) entitled "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' and the acts

amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cullen introduced a bill (Int. No. 4) entitled "An act to amend the Greater New York charter, relative to the supply of patented articles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill (Int. No. 5) entitled "An act to amend chapter 137 of the Laws of 1886, entitled 'An act to incorporate the state executive committee of the Young Men's Christian Associations of the State of New York' in respect to trustees and the election thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 6) entitled "An act to amend the Greater New York charter as re-enacted by chapter 466 of the Laws of 1901, relative to the creation of the board of railroad commissioners of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 7) entitled "An act to amend sections 1391 and 1398 of the Greater New York charter, chapter 466 of the Laws of 1901, as amended by chapter 410 of the Laws of 1903, in regard to the number and duties of city magistrates in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Agnew introduced a bill (Int. No. 8) entitled "An act to amend the Religious Corporations Law in relation to bonding treasurers of religious corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 9) entitled "An act to amend the Membership Corporations Law in relation to bonding treasurers of charitable institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the said resolution with a message that they have concurred in the passage of the same without amendment.

The committee appointed to inform the Governor of the election of Hon. John Raines as Temporary President of the Senate returned and reported that they had performed that duty.

The committee appointed to inform the Assembly of the election of Hon. John Raines as Temporary President of the Senate returned and reported that they had performed that duty.

Messrs. Patton and Oliver, a committee from the Assembly, appeared in the Senate Chamber and informed the Senate that the Assembly is organized and ready for business.

The Governor, at the hands of his secretary, transmitted to the Senate his annual message:

(See Appendix.)

Mr. Raines moved that the message of the Governor be printed and lie upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Grady introduced a bill (Int. No. 1) entitled "An act to amend the Greater New York charter, by inserting therein a new chapter creating a board of control of public utilities in the city of New York, and defining the purpose, duties and powers of such board," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Saxe introduced a bill (Int. No. 2) entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to elections, constituting chapter 6 of the general laws,' relating to recounting and recanvassing the votes and judicial investigation of ballots cast at elections heretofore and hereafter held," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 3) entitled "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' and the acts

amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cullen introduced a bill (Int. No. 4) entitled "An act to amend the Greater New York charter, relative to the supply of patented articles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill (Int. No. 5) entitled "An act to amend chapter 137 of the Laws of 1886, entitled 'An act to incorporate the state executive committee of the Young Men's Christian Associations of the State of New York' in respect to trustees and the election thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

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Mr. Agnew introduced a bill (Int. No. 8) entitled "An act to amend the Religious Corporations Law in relation to bonding treasurers of religious corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 9) entitled "An act to amend the Membership Corporations Law in relation to bonding treasurers of charitable institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Page introduced a bill (Int. No. 10) entitled "An act to amend the Labor Law, relative to the hours of employment of minors in factories," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 11) entitled "An act to repeal chapter 117 of the Laws of 1901, entitled 'An act to amend the Tax Law in relation to the taxation of savings banks' and to amend section 194 of the Tax Law to harmonize with said repeal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Owens introduced a bill (Int. No. 12) entitled "An act to amend the Tax Law in relation to the taxation of savings banks, by repealing the tax on the surplus of such banks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 13) entitled "An act to amend the Election Law giving right to honorably discharged soldiers and sailors of the Civil War who may be resident of the New York State Soldiers and Sailors' Home, to vote," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Boyce introduced a bill (Int. No. 14) entitled "An act to amend section 1, chapter 151, Laws of 1861, entitled 'An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wilcox introduced a bill (Int. No. 15) entitled "An act to amend section 7 of chapter 93 of the Laws of 1906, entitled 'An act to make the office of county clerk of Cayuga county a salaried office and regulating the management of said office,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Franchot introduced a bill (Int. No. 16) entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' authorizing it to issue its bonds for the construction of sewers," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Franchot and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on affairs of villages, retaining its place on the order of third reading.

Mr. Davis introduced a bill (Int. No. 17), entitled "An act to validate, ratify and confirm the actions of the trustees of the village of Kenmore, Erie county, New York, in proceedings taken by them to issue and sell \$31,000 worth of bonds for village improvements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The President announced the following appointments:

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| President's Clerk..... | W. B. Murphy. |
| President's Stenographer..... | Edward J. White. |
| President's Messenger..... | George Wood. |

The Temporary President announced the following appointments:

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| Temp. President's Clerk..... | E. B. Dixon. |
| Temp. President's Stenographer..... | John Raines, 3rd. |
| Temp. President's Messenger..... | Albert B. Munson. |

The President presented the report of the Superintendent of Banks; which was laid upon the table and ordered printed.

(See Document.)

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, JANUARY 9, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. F. J. Maguire.

The journal of Wednesday, January 2d, was read and approved.

The Temporary President in the chair.

Pursuant to the provisions of the resolution heretofore adopted, the Temporary President announced the following standing committees of the Senate, viz.:

ON FINANCE.

Senators Armstrong, Allds, Hill, Tully, Cassidy, Saxe, Cordts, O'Neil, Ramsperger, Mullaney, Fuller.

ON JUDICIARY.

Senators Davis, Armstrong, Allds, Cobb, Page, Hinman, Smith, Grattan, McCarren, Taylor, Cohalan.

ON CITIES.

Senators White, Davis, Carpenter, Page, Wemple, Dunn, Franchot, Foelker, McCarren, Ramsperger, Frawley.

ON RAILROADS.

Senators Wilcox, Fancher, Cobb, Burr, Smith, Franchot, Dunn, Emerson, Travis, Boyce, McManus.

ON CODES.

Senators Hill, Hinman, Saxe, Cassidy, Tully, Wemple, Gilchrist, McCarren, Taylor.

ON TAXATION AND RETRENCHMENT.

Senators Allds, Gates, Saxe, Cassidy, Wilcox, O'Neil, Foelker, Cullen, Mullaney.

ON COMMERCE AND NAVIGATION.

Senators Cordts, Hill, Burr, Fancher, Emerson, Travis, O'Neil, Harte, Owens.

ON CANALS.

Senators Foelker, Davis, White, Carpenter, Franchot, Wemple, Heacock, Ramsperger, Thompson.

ON INSURANCE.

Senators Fancher, Page, Tully, Wilcox, Grattan, Agnew, Hooker, Hasenflug, Sohmer.

ON MISCELLANEOUS CORPORATIONS.

Senators Hinman, Wilcox, Cassidy, Agnew, Emerson, Cullen, Sullivan.

ON BANKS.

Senators Gates, Hooker, Knapp, Dunn, Travis, Hasenflug, McCall.

ON PENAL INSTITUTIONS.

Senators Knapp, Wilcox, Foelker, Agnew, Travis, Thompson, Owens.

ON FOREST, FISH AND GAME.

Senators Cobb, Allds, Burr, Knapp, Gilchrist, Frawley, Ackroyd.

ON INTERNAL AFFAIRS OF TOWNS AND COUNTIES.

Senators Tully, Armstrong, O'Neil, Hooker, Heacock, Ackroyd, Harte.

ON PUBLIC EDUCATION.

Senators Page, White, Cordts, Agnew, Grattan, Thompson, McCall.

ON PUBLIC HEALTH.

Senators Cassidy, Carpenter, Dunn, Franchot, Travis, Boyce, McCall.

ON MILITARY AFFAIRS.

Senators Saxe, Gates, Davis, Fancher, Heacock, McManus, Owens.

ON REVISION.

Senators Smith, Saxe, Carpenter, Wemple, Emerson, Sohmer, Sullivan.

ON AFFAIRS OF VILLAGES.

Senators Carpenter, Hinman, Burr, Hooker, Knapp, Ackroyd, Taylor.

ON AGRICULTURE.

Senators O'Neil, Gates, Cordts, Fancher, Heacock, Boyce, Harte.

ON PRIVILEGES AND ELECTIONS.

Senators Grattan, Cobb, Hill, Smith, Gilchrist, Cohalan, Fuller.

ON INDIAN AFFAIRS.

Senators Burr, White, Knapp, Frawley, Mullaney.

ON TRADES AND MANUFACTURES.

Senators Hooker, Dunn, Franchot, Hasenflug, Sullivan.

ON PRINTED AND ENGROSSED BILLS.

Senators Agnew, Grattan, Gilchrist, Sohmer, Cohalan.

ON PUBLIC PRINTING.

Senators Wemple, Heacock, Gilchrist, Cullen, McManus.

ON RULES.

Senators Raines, Armstrong, Grady.

The President in the chair.

Mr. Cullen introduced a bill (Int. No. 18) entitled "An act to amend chapter 733 of the Laws of 1905, entitled 'An act in relation to the price of electric current furnished or sold to the city of New York and providing a penalty for violation,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

Mr. Foelker introduced a bill (Int. No. 19) entitled "An act to regulate railway fares in the borough of Brooklyn in the city of New York," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Travis introduced a bill (Int. No. 20) entitled "An act to amend the Primary Election Law, in relation to direct nominations and to provide for the expense thereof in the year 1907," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 21) entitled "An act to amend the charter of the city of New York, known as section 230 of chapter 466 of the Laws of 1901, to remove the present restriction upon the board of estimate and apportionment of the amount which shall annually be raised and appropriated for the maintenance of buildings, instruments and equipments of the Brooklyn Institute of

Arts and Sciences," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 22) entitled "An act to provide for the expense of widening Livingston street in the borough of Brooklyn, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill (Int. No. 23) entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 24) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, in relation to compensation of commissioners taking depositions,'" which was read the first time and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hasenflug introduced a bill (Int. No. 25) entitled "An act to authorize the commissioner of street cleaning of the city of New York, in his discretion to reinstate John Walsh, as assistant section foreman of the department of street cleaning of the said city and to provide that he shall draw pay only from the date of such reinstatement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 26) entitled "An act to amend the Domestic Commerce Law, relative to the sale of oats in bags," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 27) entitled "An act to amend the Greater New York charter by providing for additional city magistrates,

and for additional police clerks, stenographers and interpreters for the city magistrates' courts, in the second division of the city of New York, and to repeal section 1396-a of chapter 466 of the Laws of 1901," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gilchrist introduced a bill (Int. No. 28) entitled "An act in relation to the regulation, management and operation of surface, elevated and underground railroads in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, a bill (Int. No. 29) entitled "An act to exempt a parcel of real estate of the Euclid Avenue Baptist Church, in the borough of Brooklyn, city of New York, from certain assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Sohmer introduced a bill (Int. No. 30) entitled "An act to amend the Greater New York charter, relating to the hours and duties of the members of the police force," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 31) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the city of New York for assessments affecting property in the city of New York, and directing the comptroller to mark such assessments accordingly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McManus introduced a bill (Int. No. 32) entitled "An act in relation to appointments and employments in the civil service of the State and the civil divisions thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Agnew introduced a bill (Int. No. 33) entitled "An act to amend the Penal Code, relative to violations of provisions of

the Labor Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 34) entitled "An act to amend section 1092 of the Greater New York charter, in relation to the public school teachers' retirement fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 35) entitled "An act to amend the Forest, Fish and Game Law, relative to wild fowl," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 36) entitled "An act to incorporate the Public Health Defense League," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 37) entitled "An act to amend the Code of Civil Procedure in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 38) entitled "An act to amend the Labor Law and repeal chapter 9 of the Laws of 1901, relative to the organization of the Department of Labor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Saxe introduced a bill (Int. No. 39) entitled "An act to amend the Insurance Law, in relation to directors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill (Int. No. 40) entitled "An act to amend the Banking Law, in relation to directors and trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, a bill (Int. No. 41) entitled "An act to amend section 1781 of the Code of Civil Procedure in relation to actions against

directors, etc., of a corporation for misconduct," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 42) entitled "An act to amend the Code of Civil Procedure by adding a new section, to be known as section 1782-a, in relation to the equity jurisdiction of the Supreme Court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Cohalan introduced a bill (Int. No. 43) entitled "An act to erect the county of the Bronx from the territory now comprised within the limits of the borough of the Bronx, in the city of New York, as constituted by chapter 378 of the Laws of 1897 and all acts amendatory thereof and supplemental thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Grattan introduced a bill (Int. No. 44) entitled "An act in relation to illuminating gas in the city of Albany and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

Also, a bill (Int. No. 45) entitled "An act in relation to the price of electric current furnished or sold in the city of Albany, for light, heat, power or other purposes to consumers other than said city and providing a penalty for violation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

Mr. Wemple introduced a bill (Int. No. 46) entitled "An act to legalize and validate certain bonds of the village of Scotia, and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of a tax for the payment of the principal and interest thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Emerson introduced a bill (Int. No. 47) entitled "An act to amend chapter 66 of the Laws of 1906, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' by increasing the number of deputies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Heacock introduced a bill (Int. No. 48) entitled "An act to amend the Railroad Law relative to the transportation of freight," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. O'Neil introduced a bill (Int. No. 49) entitled "An act conferring jurisdiction upon the Court of Claims to hear and determine the claim of Jennie Mullady as administratrix with the will annexed of the estate of Patrick Mullady, deceased, against the State and to make an award therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cobb introduced a bill (Int. No. 50) entitled "An act validating and legalizing certain conveyances of real estate to the village of Turin, Lewis county, N. Y., for the purpose of its water supply system," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ackroyd introduced a bill (Int. No. 51) entitled "An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 52) entitled "An act to amend chapter 321 of the Laws of 1898, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the compensation of under sheriff

and counsel," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Hinman introduced a bill (Int. No. 53) entitled "An act making an appropriation for the erection of certain buildings at the Binghamton State Hospital, the Middletown State Homeopathic Hospital, the Hudson River State Hospital, and the Kings Park State Hospital," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Wilcox introduced a bill (Int. No. 54) entitled "An act to repeal section 80-a of the Forest, Fish and Game Law, in relation to fishing for nongame fish in Cayuga lake and tributary streams," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Tully introduced a bill (Int. No. 55) entitled "An act to amend section 258 of the Code of Civil Procedure relating to the appointment of stenographers for the Supreme Court so as to permit the appointment of one additional stenographer in the seventh judicial district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Hooker introduced a bill (Int. No. 56) entitled "An act to amend the Railroad Law relative to the transportation of freight," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Franchot introduced a bill (Int. No. 57) entitled "An act to provide for the payment to Mrs. Julia B. Childs, widow of the late Henry A. Childs, justice of the Supreme Court for the eighth judicial district of this State, the remainder of his salary as said justice for the unexpired portion of the year 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Harte introduced a bill (Int. No. 58) entitled "An act to amend the Greater New York charter, being chapter 378 of the Laws of 1897, as amended by chapter 466 of the Laws of 1901,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 59) entitled "An act to amend the County Law, relative to the appointment of assistant district attorneys in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Clerk announced the following appointments:

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| Assistant Clerk | E. A. Fay. |
| Journal Clerk | A. Miner Wellman. |
| Assistant Journal Clerk | Henry Seilheimer. |
| Executive Clerk | Edward F. Andrews. |
| Chief of Engrossing Room | Horace G. Tennant. |
| Deputy Clerk | Frank W. Bartley. |
| Deputy Clerk | Frank G. Cunley. |
| Deputy Clerk | John E. Long. |
| Deputy Clerk | Howard Beecher. |
| Index Clerk | Addison B. Parker. |
| Assistant Index Clerk | Willis C. Semans. |
| Librarian | W. F. Maxon. |
| Assistant Librarian | E. D. Willitts. |
| Financial Clerk | E. R. Ford. |
| Messenger to Financial Clerk | W. C. Clark. |
| Clerk's Messenger | W. H. Moseley. |
| Superintendent of Documents..... | H. H. Nye. |
| Asst. Superintendent of Documents... | H. K. Gorman. |
| Asst. Superintendent of Documents... | Joseph F. Cook. |
| Asst. Superintendent of Documents... | Owen Jones. |
| Asst. Superintendent of Documents... | Charles Shultis. |
| Superintendent of Wrapping Dept... | W. H. Thomas. |
| Asst. Supt. of Wrapping Dept..... | Olaf Magnussen. |
| Asst. Supt. of Wrapping Dept..... | Frank E. Tiffany. |
| Postmaster | Clarence Reed. |
| Asst. Postmaster | E. P. Liesgang. |
| Post Office Messenger | Lewis W. Gett. |
| Asst. Doorkeeper | John W. Burns. |
| Asst. Doorkeeper | Charles D. Kendall. |
| Asst. Doorkeeper | James F. Carroll. |
| Asst. Doorkeeper | George F. Monahan. |
| Asst. Doorkeeper | W. S. Rundell. |
| Asst. Doorkeeper | W. H. Young. |
| Asst. Doorkeeper | Isaiah W. Thompson. |

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| Janitor | Major R. Poole. |
| Asst. Janitor | William Lattemore. |
| Asst. Janitor | John W. Howe. |
| Clerk Finance Committee | Bernard J. Haggerty. |
| Stenographer Finance Committee | Orville H. Shepard. |
| Messenger Finance Committee | W. H. Butler. |
| Clerk Cities Committee | Harry Newell. |
| Stenographer Cities Committee | Stanley Wells. |
| Messenger Cities Committee | Louis Klein. |
| Clerk Judiciary Committee | Howard G. Hibbard. |
| Stenographer Judiciary Committee | Emma Norton. |
| Messenger Judiciary Committee | George W. Wenz. |
| Clerk Codes Committee | W. S. Hopkins. |
| Clerk Railroads Committee | Wallis J. Hadden. |
| Clerk Canals Committee | Robert G. Martin. |
| Clerk Insurance Committee | Charles Nichols. |
| Clerk Taxation and Retrenchment Committee | D. S. Rappelye. |
| Clerk Printed and Engrossed Bills | C. Aikenhead. |
| Clerk Revision Committee | Cornelius Shufelt. |
| Clerk Forest, Fish and Game Com | D. M. Snyder. |
| General Committee Clerk | J. O. Curtis. |
| General Committee Clerk | Titus Shedden. |
| General Committee Clerk | E. B. Dana. |
| General Committee Clerk | W. A. Culver. |
| General Committee Clerk | F. H. Townsend. |
| General Committee Clerk | H. K. Smith. |
| General Committee Clerk | Albert Ketcham. |
| General Committee Clerk | T. B. Linsburgh. |
| General Committee Clerk | C. V. A. Decker. |
| General Committee Clerk | Lehon Corregan. |
| Stenographer | Lena Wenzel. |
| Stenographer | Frank B. Mackenzie. |
| Stenographer | Minnie Miller. |
| Stenographer | Charles Haskell. |
| Stenographer | Richard Duell. |
| Stenographer | Charles H. Gardiner. |
| Stenographer | Thomas P. Keough. |
| Stenographer | Chas. W. Paul. |
| Stenographer | George M. Shotwell. |
| Stenographer | Thomas L. Thompson. |
| Chief Messenger | Arthur H. Balmforth. |
| Messenger | Arthur LaMarche. |
| Messenger | H. A. Kent. |
| Messenger | H. H. Everett. |
| Messenger | John Pfeiffer. |

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| Messenger | John J. Franzen. |
| Messenger | M. C. Donovan. |
| Messenger | Thomas Farrell. |
| Messenger | Eugene Townner. |
| Page | William Adams. |
| Page | Howard Myers. |
| Page | W. J. Hillson. |
| Page | John Shearer. |
| Page | Howard Carroll. |
| Page | Milton Witbeck. |
| Page | Owen McShane. |
| Page | Charles Galaise. |
| Page | W. H. Schmidt. |
| Page | J. J. Carey. |
| Page | John Murphy. |
| Page | John Maloney. |
| Page | Geo. McCune. |
| Page | W. H. Lasher. |
| Page | Silas Downes. |

The President presented the report of the Attorney-General for 1906, which was laid upon the table and ordered printed.

(See Document.)

Mr. Grattan offered the following:

Whereas, There is general and widespread complaint in the city of Albany of the prices maintained by the gas and electric lighting companies operating therein, and of the quality of the service; and,

Whereas, The Chamber of Commerce of said city and organizations of its citizens have vainly attempted through negotiations with said companies to obtain relief from what are believed to be the unreasonable and excessive charges for the service rendered; and,

Whereas, The companies have neglected and refused to make and file with the Commission of Gas and Electricity the reports required by statute, and by writ of prohibition have prevented all inquiries by said commission as to the character of the service rendered, reasonableness of the charges imposed for said service and the capitalization of said corporations or dividends declared upon its capital stock; therefore,

Resolved (if the Assembly concur), That a joint committee be appointed consisting of two members of the Senate and three members of the Assembly, which committee shall, as speedily as may be, proceed to investigate and examine into the organization and operation of the gas and electric lighting companies doing

business in Albany; the reasonableness of the charges maintained by the gas and electric lighting companies operating in said city; the capital actually employed, the conditions under which the business of the companies is conducted, with reference to competition, the quality of the service, and any other phase of the gas and electric lighting business as conducted in the city of Albany deemed by the committee to be germane to the purpose of such investigation, that the committee report to the Legislature as soon as possible the result of their investigation with such remedial measures as it may deem proper.

Further Resolved, That said committee be, and it hereby is, authorized and empowered to require and enforce the attendance of witnesses, and the production of books and papers, to administer oaths, and to employ counsel, stenographers, clerks and such other employees as may be necessary for the purpose of the investigation. And a sum not exceeding \$25,000 is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, for the purposes of said committee.

Ordered, That said resolution be referred to the committee on finance.

Leave of absence was granted to Mr. Allds indefinitely.

Mr. Raines moved that the Senate do now adjourn until tomorrow at 11 o'clock a. m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, JANUARY 10, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. W. F. Whitaker.

The journal of yesterday was read and approved.

Mr. Harte introduced a bill (Int. No. 60) entitled "An act to release to Cora Fehling all the right, title and interest of the people of the State of New York in and to certain real estate situated in the second ward of the borough of Queens, county of Queens, the city and State of New York, acquired by escheat upon the death of Martin N. Connolly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 61) entitled "An act regulating the rates of ferriage for foot passengers on the Astoria ferry, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Travis introduced a bill (Int. No. 62) entitled "An act to amend section 81 of chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws' as amended, in regard to the form of the general ballot," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fuller introduced a bill (Int. No. 63) entitled "An act to amend the Membership Corporations Law relating to the incorporation of boards of trade," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Carpenter introduced a bill (Int. No. 64) entitled "An act to release to George C. Kline all the right, title and interest of the people of the State of New York, in and to real estate situate, lying and being in the city, county and state of New York, acquired by escheat or otherwise," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 65) entitled "An act to amend chapter 242 of the Laws of 1906, entitled 'An act to revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' in relation to the terms of office of the trustees of the village of Ossining, and the election to be held in said village on the second Tuesday of March, 1907," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Cordts introduced a bill (Int. No. 66) entitled "An act to authorize the Comptroller to hear and determine the application of Abram G. De Witt for cancellation of the tax sales made by the Comptroller in the years 1895 and 1900 of lot No. 5, eastern one-half of great lot No. 8 of the Hurley patentee woods, fourteen

and one-half acres, Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Wemple introduced a bill (Int. No. 67) entitled "An act to amend chapter 64 of the Laws of 1854, entitled 'An act to incorporate the Saratoga Lake Bridge Company,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 68) entitled "An act to provide for the election of a village president of the village of Saratoga Springs by the electors thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 69) entitled "An act to amend chapter 214 of the Laws of 1887, entitled 'An act to organize and establish a police department for the village of Saratoga Springs and defining its powers and duties,' as amended by chapter 66 of the Laws of 1897, and as amended by chapter 369 of the Laws of 1901," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 70) entitled "An act to amend chapter 506 of the Laws of 1902, entitled 'An act to amend the charter of the village of Saratoga Springs and to provide for the appointment of sewer, water and street commissioners for said village, and to prescribe their powers and duties,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 71) entitled "An act to create the office of village comptroller of the village of Saratoga Springs, and defining his powers and duties, and to abolish the present office of village comptroller of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Ackroyd introduced a bill (Int. No. 72) entitled "An act making an appropriation to the Central New York Institution for Deaf-Mutes, at Rome, to enable it to extinguish its debt in-

curred for the support and education of its deaf and dumb pupils and for the paving of the street fronting its property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Hill introduced a bill (Int. No. 73) entitled "An act to accept a deed of gift from William Pryor Letchworth, bachelor, to the people of the state of New York, of land in the town of Genesee Falls, Wyoming county, and the town of Portage, Livingston county, this State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hill, and by unanimous consent, the rules were ~~suspended~~ and said bill ordered to a third reading and referred to the committee on finance, retaining its place on the order of third reading.

Mr. Davis introduced a bill (Int. No. 74) entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, N. Y., in constructing sewers in Edson street, Duerstein avenue and Burch avenue, in said town of West Seneca, and making assessments therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 75) entitled "An act to legalize, ratify and confirm the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, N. Y., in establishing sewer district No. 1 in said town and contracting for the construction of a system of sewers, pumping plant and disposal plant in such district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 76) entitled "An act to provide for the better collection of unpaid assessments for the local improvements in the town of West Seneca, Erie county, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. McCarren introduced a bill (Int. No. 77) entitled "An act to authorize the board of estimate and apportionment of the city of New York, to hear, determine, audit and allow the alleged claim of John W. Carpenter for services alleged to have been rendered between the 1st day of January, 1900, and the 1st day of October, 1900, inclusive, as clerk of the Municipal Court of said city in the third district of the borough of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The President presented the report of the Charity Organization Society of the City of Buffalo, which was laid upon the table and ordered printed.

(See Document.)

Mr. Raines moved that the Senate do now adjourn until tomorrow at 10 o'clock a. m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, JANUARY 11, 1907.

The Senate met pursuant to adjournment.

The Temporary President in the chair.

Prayer by Rev. C. E. Hamilton.

The journal of yesterday was read and approved.

The Temporary President presented the report of the Commission on New Prisons, which was laid upon the table and ordered printed.

(See Document.)

Mr. Grattan moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, JANUARY 14, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. C. E. Nichols.

The journal of Friday, January 11th, was read and approved.

Mr. Harte introduced a bill (Int. No. 78) entitled "An act to reduce the ferriage on the ferry plying between the foot of East Thirty-fourth street in the borough of Manhattan, and Borden avenue in the first ward of the borough of Queens, and to establish a rate of ferriage thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Cullen introduced a bill (Int. No. 79) entitled "An act to amend article 5 of chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporations, constituting chapter 38 of the general laws,' and known as the Insurance Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill (Int. No. 80) entitled "An act to provide for the appointment of two female probation officers in the Court of Special Sessions of the Second Division of the city of New York, and to compensate them for such services," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Travis introduced a bill (Int. No. 81) entitled "An act to repeal chapter 244 of the Laws of 1878, entitled 'An act relating to the assessment of Prospect park in the city of Brooklyn,' and providing for the repayment of certain moneys collected and paid thereunder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarren introduced a bill (Int. No. 82) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into the claim of the Donlon Contracting Company against the city of New York for cleaning the brick sewers of the borough of Brooklyn in the city of New York, and

was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 93) entitled "An act to amend section 339 of the Code of Criminal Procedure in relation to what may be given in evidence under a plea of not guilty," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Owens introduced a bill (Int. No. 94) entitled "An act to amend the Tax Law in relation to the taxation of mortgages of real property recorded prior to July 1, 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Grattan, on behalf of Mr. Allds, introduced a bill (Int. No. 95) entitled "An act to amend chapter 468 of the Laws of 1894, as amended by chapter 47 of the Laws of 1897 and as amended by chapter 451 of the Laws of 1906, entitled 'An act to provide for the establishment of a home for the aged and dependent veteran and his wife, veterans' mothers, widows and army nurses, residents of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Grattan introduced a bill (Int. No. 96) entitled "An act providing for the erection of a State armory and stable in the city of Albany, the acquisition of a site therefor, and making an appropriation for building said armory and stable," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Ackroyd introduced a bill (Int. No. 97) entitled "An act to create and establish a fireman's relief and pension fund for the fire department of the city of Utica and authorizing the granting and payment of pensions and relief to the officers and members of said department entitled thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 98) entitled "An act to amend an act, entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new courthouse in the city of Utica

for the use of the county of Oneida, and to provide means to defray the expenses thereof and to sell the present courthouse and site and the county clerk's office and site situate in Utica,' as amended by chapter 132 of the Laws of 1905," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 99) entitled "An act to amend section 5 of an act to amend chapter 10 of the Laws of 1859, entitled 'An act to amend the act entitled "An act to revise, amend and consolidate the several acts relating to the village of Whitesboro,"' passed June 14, 1884, relative to new fire house in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Wilcox introduced a bill (Int. No. 100) entitled "An act to amend chapter 185 of the Laws of 1906, entitled 'An act to revise the charter of the city of Auburn,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hill introduced a bill (Int. No. 101) entitled "An act making an appropriation for the payment of a pension to George W. Herniman, late second lieutenant, 65th Regiment, National Guard, and directing the payment of such pension," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Ramsperger introduced a bill (Int. No. 102) entitled "An act to amend the County Law relative to the duties and salaries of the assistant district attorneys of the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Davis introduced a bill (Int. No. 103) entitled "An act to provide for stenographers in the eighth judicial district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 104) entitled "An act to validate and authorize certain improvement bonds of the village of Kenmore,

Erie county, New York, validating proceedings heretofore taken for the issuance and sale thereof and providing for the delivery or resale thereof, and for the levy of a tax for the payment of the principal and interest thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 105) entitled "An act to amend an act, entitled 'An act to extend the time within which the International Railway Company and the Crosstown Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The Assembly sent for concurrence a resolution in the words following:

Whereas, The Confederate survivors of the battle of Fort Fisher, fought January 15, 1865, are to have a reunion at Fort Fisher on January 15, 1907; and,

Whereas, These surviving Confederate veterans have extended an earnest and cordial invitation to the brave survivors of the 117th N. Y. Volunteers and all troops engaged in that memorable conflict to be present and join them in this patriotic reunion; and,

Whereas, Confederate and Union veterans are now about to meet in this reunion as a patriotic body of Americans enjoying the full victories of peace; and,

Whereas, It seems fitting that the Legislature of the State of New York should take action respecting this spirit of brotherhood so generally manifested by them. Therefore, be it

Resolved (if the Senate concurs), That the Legislature of the State of New York heartily approves of the fraternal fellowship shown by the Confederate Veterans' Association in extending this invitation to the Federal soldiers who participated in this battle, confidently believing that this reunion will do its full share in making this country a grander Union than ever before. Be it further

Resolved, That a copy of these resolutions be sent to Col. Wm. Lamb, President of Fort Fisher Confederate Survivors Association at Fort Fisher, North Carolina.

Mr. Raines moved that the Senate concur in the said resolution.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly with a message that the Senate has concurred in the passage of the same.

The President presented the report of the Trustees of Public Buildings relative to the architectural competition for the State Educational Building, which was laid upon the table and ordered printed.

(See Document.)

The President presented the report of The New York State Woman's Relief Corps Home, which was laid upon the table and ordered printed.

(See Document.)

The President handed down a presentment of the grand jury of the city and county of New York, which was ordered referred to the committee on affairs of cities.

The President presented a communication in the words following:

STATE OF NEW YORK, TREASURER'S OFFICE.

ALBANY, N. Y., December 31, 1906.

To the Honorable, the President of the Senate:

SIR.—In accordance with section 41 of the Executive Law, I respectfully ask that my accounts be examined and settled and the certificate made under such section, in order that the official undertaking given by me upon the assumption of the office of State Treasurer may be delivered to me for cancellation. May I ask that you give this matter your attention at as early date as possible.

Yours respectfully,

JNO. G. WALLENMIER.

Ordered, That said communication be referred to the committee on finance.

The President presented the report of The Board of Railroad Commissioners, which was laid upon the table and ordered printed.

(See Document.)

Mr. Fuller moved that the committee on affairs of cities be discharged from the consideration of Senate bill No. 7 (Int. No. 7) entitled "An act to amend sections 1391 and 1398 of the Greater New York charter, chapter 466 of the Laws of 1901, as amended by chapter 410 of the Laws of 1903, in regard to the number and duties of city magistrates in the city of New York," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Franchot moved that the committee on affairs of villages be discharged from the consideration of Senate bill No. 16 (Int. No. 16) entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' authorizing it to issue its bonds for the construction of sewers," and that said bill be amended, reprinted and recommitted to the committee on affairs of villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, JANUARY 15, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. W. H. Edwards.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Ackroyd until to-morrow.

Mr. McCarren introduced a bill (Int. No. 106) entitled "An act to authorize the justices of the Appellate Division of the Supreme Court in the second judicial department to appoint a case and consultation clerk, and to provide for his compensa-

tion," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Agnew introduced a bill (Int. No. 107) entitled "An act to repeal chapter 414 of the Laws of 1906, being an act to amend sections 315, 317 and 321 of article 15 of the Tax Law, in relation to the tax on transfers of stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 108) entitled "An act to amend section 17 of chapter 570 of the Laws of 1895, entitled 'An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State racing commission'; and to amend section 18 of the same act as heretofore amended by section 4 of chapter 380 of the Laws of 1896, and by section 2 of chapter 446 of the Laws of 1897," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 109) entitled "An act to amend section 351 of the Penal Code, relating to pool-selling, book-making, bets and wagers, etc.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 110) entitled "An act making an appropriation for the promotion of agriculture in this State by appropriating a certain fixed sum to be appropriated and distributed as provided by chapter 820 of the Laws of 1895, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Saxe introduced a bill (Int. No. 111) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the First Department,' relative to the appointment of a confidential clerk," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on finance, retaining its place on the order of third reading.

Also, a concurrent resolution (Int. No. 112) in the words following:

"Concurrent resolution of the Senate and Assembly, proposing an amendment of section 2 of article 1 of the Constitution in relation to trial by jury."

Section 1. Resolved (if the assembly concur), That section two of article one of the constitution be amended to read as follows:

ARTICLE I.

§ 2. The trial by jury, in all cases in which it has been heretofore used, shall remain inviolate forever; but a jury trial may be waived by the parties in all civil cases in the manner to be prescribed by law. In all civil causes a verdict may be rendered by the concurrence of two-thirds of the jurors, and in all criminal causes by the concurrence of three-fourths of the jurors. The legislature shall at the next session, by appropriate legislation, provide for carrying this section into effect.

§ 3. Resolved (if the assembly concur), That the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and in conformity with section one, article fourteen of the constitution, be published for three months previous to the time of such election.

Which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 113) entitled "An act to amend the Code of Civil Procedure, relating to the entry of judgment against joint debtors upon service on one or more, but not on all the defendants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Page introduced a bill (Int. No. 114) entitled "An act to amend the Tax Law in relation to the taxation of mortgages of real property," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 115) entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' and acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Carpenter introduced a bill (Int. No. 116) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to tax leases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 117) "An act to validate, legalize and confirm all of the proceedings of the legal voters of school district number 1, in the town of Ossining, Westchester county, New York, at the annual meeting thereof held on the 7th of August, 1906; adjourned annual meeting thereof held on the 11th of September, 1906; at the special election thereof held on the 13th of October, 1906, and the action of the board of education of said district, prior and subsequent thereto, relative to acquiring a schoolhouse site and constructing a new school building therein, in said district, and the levying of a tax and the sale and issuance of certain bonds of said district," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Boyce introduced a bill (Int. No. 118) entitled "An act to amend chapter 102 of the Laws of 1904, incorporating the Silver Bay Association for christian conferences and training," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 119) entitled "An act to incorporate the national board of the Young Women's Christian Associations of the United States of America," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Taylor introduced a bill (Int. No. 120) entitled "An act to amend chapter 87 of the Laws of 1898, as amended by chapter 595 of the Laws of 1906, entitled 'An act to amend chapter 541 of the Laws of 1865, entitled "An act to incorporate the city of Newburgh," and the several acts amendatory thereof, in relation to the improvement of streets in said city,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cobb introduced a bill (Int. No. 121) entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gates introduced a bill (Int. No. 122) entitled "An act to provide for the payment to Ellen B. Forbes, widow of the late Gerrit A. Forbes, justice of the Supreme Court for the sixth judicial district, the remainder of his salary as such justice for the unexpired portion of the year 1906, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Hill introduced a concurrent resolution (Int. No. 123) in the words following:

"Concurrent resolution of the Senate and Assembly proposing an amendment to section 1 of article 2 of the Constitution in relation to qualification of voters."

Section 1. Resolved (if the assembly concur), That section one of article two of the constitution be amended to read as follows:

Section 1. Every (male) citizen of the age of twenty-one years who shall have been a citizen for ninety days, and an inhabitant of this state one year next preceding an election, and for the last four months a resident of the county, and for the last thirty days

a resident of the election district in which he may offer his vote, shall be entitled to vote at such election in the election district of which he shall at the time be a resident, and not elsewhere, for all officers that now are or hereafter may be elective by the people, and upon all questions which may be submitted to a vote of the people, provided that in time of war no elector in the actual military service of the state, or of the United States in the army or navy thereof, shall be deprived of his vote by reason of his absence from such election district; and the legislature shall have power to provide the manner in which and the time and place at which such absent electors may vote, and for the return and canvass of their votes in the election districts in which they respectively reside.

§ 2. Resolved (if the assembly concur), That the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and in conformity with section one, article fourteen, of the constitution, be published for three months previous to the time of such election."

Which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Raines introduced a bill (Int. No. 124) entitled "An act in relation to the right of resident property owners to vote at special tax elections in cities of the third class," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarren introduced a bill (Int. No. 125) entitled "An act to amend the Greater New York charter, relative to the salary of the clerk for the children's court, second division, borough of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Raines offered the following:

"Resolved, That until otherwise ordered the Senate shall meet at 8.30 o'clock on Monday evenings, at 11 a. m. on Tuesdays, Wednesdays and Thursdays, and at 10 a. m. on Fridays."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President presented the report of the Special Tax Commission, which was ordered printed, and referred to the committee on taxation and retrenchment.

(See Document.)

Mr. Grady moved that the committee on affairs of cities be discharged from the consideration of Senate bill No. 1 (Int. No. 1) entitled "An act to amend the Greater New York charter, by inserting therein a new chapter creating a board of control of public utilities in the city of New York, and defining the purpose, duties and powers of such board," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, JANUARY 16, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. R. J. Strother.

The journal of yesterday was read and approved.

Mr. Harte introduced a bill (Int. No. 126) entitled "An act to amend the Tax Law, in relation to the transfer tax clerk in Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 127) entitled "An act for the preservation of the building known as the Billop house in the county of Richmond, and to authorize the acquisition of title thereto and to lands adjacent to the same for historical purposes," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Thompson introduced a bill (Int. No. 128) entitled "An act to amend the Greater New York charter, relative to promotions in the police and fire departments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Page introduced a bill (Int. No. 129) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the duties and powers of clerks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 130) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to fees payable to clerks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 131) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to jurors and trials by jury," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cohalan introduced a bill (Int. No. 132) entitled "An act to amend section 1242 of the Code of Civil Procedure, relating to the sale of real property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 133) entitled "An act to amend the Greater New York charter in relation to the salaries of the borough presidents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 134) entitled "An act to amend the Forest, Fish and Game Law in relation to nets in the Hudson and Delaware rivers and adjacent waters," which was read the first time, and by unanimous consent was also read

the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 135) entitled "An act to establish school district number 1, town of Ossining, in the county of Westchester, into a union free school district and to bring such school district under the provisions of the Consolidated School Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Taylor introduced a bill (Int. No. 136) entitled "An act to authorize the building of a dike or dikes for the protection of property adjacent to the Delaware river in the village of Port Jervis, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Boyce introduced a bill (Int. No. 137) entitled "An act to amend chapter 235 of the Laws of 1894, entitled 'An act in relation to joint-stock associations, constituting chapter 45 of the general laws,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wemple introduced a bill (Int. No. 138) entitled "An act to change the name of the Methodist Episcopal Church in the city of Schenectady, to the First Methodist Episcopal Church of the City of Schenectady, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Heacock introduced a bill (Int. No. 139) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the several alleged claims of Harry L. Becker, Stella H. Barry, Judson C. Nichols, Anna Davis Freeman, Mary Syphert, Dean Burgess, Irving G. Miller and Abram B. Steele, Ophelia C. Wood, George W. Kittredge, Herbert H. Longstaff, Herbert H. Longstaff as agent, Bertram F. Adams as agent, William Foulds, Harriet C. Pierce and Howard Mark, et al. against the State of New York, for damages alleged to have been sustained by them at Fourth Lake of the Fulton Chain in the

counties of Herkimer and Hamilton in the winter of 1905-1906, and spring of 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. O'Neil introduced a bill (Int. No. 140) entitled "An act to amend chapter 29 of the Laws of 1902, entitled 'An act to make the office of sheriff of Franklin county a salaried office, in part, and to regulate the management thereof,' in relation to jailer and turnkey," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 141) entitled "An act to confirm the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds the company assumed as a part of the purchase price of its said system of water works," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. O'Neil, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, a bill (Int. No. 142) entitled "An act to legalize the issuing of bonds of the town of Franklin, in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of defraying the expense of filling in and repairing a portion of the highway leading from Loon Lake to Bloomingdale, known as the 'Long Crossway' in said town, and to provide for the payment of the principal and interest thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hinman introduced a bill (Int. No. 143) entitled "An act to amend section 221 of the Code of Civil Procedure, in relation to the salary of the deputy clerk of the Appellate Division of the Third Department," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on finance.

Mr. Dunn introduced a bill (Int. No. 144) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city," relating to the duties of the treasurer,' " which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dunn, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on affairs of cities, retaining its place in the order of third reading.

Mr. Gilchrist introduced a bill (Int. No. 145) entitled "An act authorizing the comptroller of the city of New York to inquire into the alleged claim of George R. Dubois, a janitor in the justices' court of the former city of Brooklyn, first district, for services rendered as such, from March 1, 1897, to December 31, 1897, both dates inclusive, and for services rendered as janitor of the Municipal Court of the city of New York, borough of Brooklyn, first district, from January 1, 1898, to August 12, 1903, both dates inclusive, and authorizing payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Frawley introduced a bill (Int. No. 146) entitled "An act to amend the Penal Code, in relation to the sale of certain drugs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Cordts introduced a bill (Int. No. 147) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Albert Snyder against the State of New York, for damages alleged to have been sustained by him in the construction of a State road in the town of Saugerties, Ulster county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Armstrong, from the committee on finance, to which was

referred the Senate bill introduced by Mr. Hill (No. 73, Int. No. 73) entitled "An act to accept a deed of gift from William Pryor Letchworth, bachelor, to the people of the State of New York, of land in the town of Genesee Falls, Wyoming county, and the town of Portage, Livingston county, this State," reported in favor of the passage of the same with amendments, the title being amended to read as follows:

"An act to authorize the Governor of the state, to accept on behalf of the people of the state, from William Pryor Letchworth, bachelor, a deed of gift to the people of the state, of certain lands within the state and to legalize a certain conveyance relating thereto."

Which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Raines, from the committee on rules, presented the following:

Resolved, That, until otherwise ordered, the following be the rules and orders of the Senate of the State of New York for the years 1907 and 1908.

RULES OF THE SENATE, 1907-1908.

Order of Business.

1. President to take the chair; journal to be read.
Order of business.

Of the President.

2. (1) To decide questions of order; name committees.
(2) To assign doorkeepers to their respective duties and stations.
(3) To certify passage of all bills.

Of the Temporary President.

3. In the absence of the Lieutenant-Governor, temporary President to act.

Of the Clerk.

4. (1) To have journals printed and placed on file.
(2) To furnish, daily, printed list of general orders; to see that all bills are acted upon in order in which reported; calendar.
(3) To present bills originating in Senate to Governor, and to enter on journals.
(4) To designate reporters.

Of the Sergeant-at-Arms.

5. To be in attendance on the Senate to preserve order.

Of the Rights and Duties of Senators.

6. (1) Relative to presentation of petitions, reports, resolutions, etc.
(2) To preserve order while journals or public papers are being read.
(3) Debate; Senators to address the President, and not to proceed until recognized; limitation; President to decide who is entitled to floor.

- (4) Within bar of Senate when question is stated, to vote, unless, etc.
- (5) Wishing to be excused from voting, may make brief statement.
- (6) and (7) Absentees to be sent for.

Committees and their Duties.

- 7. Standing committees.
- 8. On public printing, to examine and report on all matters relating to printing.
- 9. On printed and engrossed bills, to examine all bills, resolutions, etc., and report as correctly printed or engrossed before third reading.
- 10. On revision, duties of.
- 11. Reports of committees on bills; proceedings when not considered at time of making.

Of General Orders and Special Orders.

- 12. What to constitute the general orders; business of; how taken up.
- 13. Special orders.

Of the Committee of the Whole.

- 14. Rules to be observed in; may strike out enacting clause in bills, and if report is agreed to by Senate, bill to be deemed rejected.
- 15. Bills, committed to, to be read through by sections; amendments not offered in, not in order except by unanimous consent.
- 16. Motion to rise and report progress always in order.

Of Bills.

- 17. How introduced.
- 18. Proceedings when reported by committee of the whole, when deemed lost; final question to be taken immediately after third reading.
- 19. To receive three readings; not to be amended or committed until twice read; not to be read a third time out of its order; resolutions proposing amendments to Constitution to be treated as bills, to be acted on in committee of the whole.
- 20. Or resolution amending Constitution, after ordered to a third reading, may not be amended, except, etc.
- 21. Two-thirds bills.
- 22. Question on final passage to be taken by ayes and nays.
- 23. To be printed in the order as reported by committees, unless, etc.
- 24. When final vote on, may be reconsidered; to be read by sections.
- 25. When may be laid on the table.

Of Motions and their Precedence.

- 26. When question is before Senate, no motion to be received, except, etc.; motion to adjourn or lay on the table to be decided without debate.
- 27. When to be reduced to writing.
- 28. When questions to be divided.
- 29. Certain to preclude debate of main question.
- 30. Filing of blanks; question, how taken.
- 31. Reconsideration.
- 32. Concurrent resolutions.

Of Closing Debate.

- 33. Closing debate.
- 34. Of a quorum.

Of Questions of Order.

35. Priority of business.
36. When reading of paper is called for and objected to, to be decided without debate.
37. Senator called to order; to take his seat; when may proceed; words objected to to be taken down in writing.
38. Divisions; when names to be entered alphabetically on minutes; Senators to vote unless excused.

Of Executive Sessions.

39. When President shall direct doors to be closed, etc.; secrecy to be observed.
40. Proceedings in, to be kept in separate journal.
41. Senate may go into, when deemed necessary; nominations in, how referred; when consent to appointment may be transmitted.

Miscellaneous Provisions.

42. Who may take books from Senate chamber; duty of librarian.
43. Superintendent of documents to place documents and bills on files; postmaster to see that mails are punctually delivered.
44. Senate library, post-office and document room to be open.
45. Alteration, suspending or rescinding of rules.
46. Claims before, reported adversely upon, papers relative to, to remain on files of Senate, unless, etc.
47. Resolutions for expenditure of moneys must be decided by a majority vote.
48. Call of the Senate.
49. Admissions to floor of Senate chamber.
50. Employes not to solicit subscriptions.

ORDER OF BUSINESS.

1. The President shall take the chair at the hour to which the Senate shall have adjourned, and a quorum being present, the Journal of the preceding day shall be read, to the end that any mistakes therein may be corrected. After the reading and approving of the Journal the order of business shall be as follows:

1. The presentation of petitions.
2. Introduction of bills, by districts, in their numerical order.
3. Messages from the Assembly.
4. Messages from the Governor.
5. Reports of standing committees.
6. Reports of select committees.
7. Communications and reports from State officers.
8. Third reading of bills.
9. Motions and resolutions.
10. Special orders.
11. General orders.

But messages from the Governor and Assembly, communications and reports from State officers, reports from the Committee on Privileges and Elections involving the right of a Senator to his seat, and reports from the Committee on Engrossed Bills, on Revision and on Rules shall be received at any time. The Committee on Rules may sit at any time; consideration of its report shall always be in order, debate on its adoption shall not exceed one hour, one-half hour for and one-half hour against, and no other motion shall be in order until the vote of the Senate is had thereon.

OF THE PRESIDENT.

2. (1) The President shall preserve order and decorum; in case of disturbance or disorderly conduct in the lobby or galleries, he may cause the same to be cleared; he shall decide all questions of order, subject to appeal to the Senate. On every appeal he shall have the right, in his place, to assign his reasons for his decision; he shall appoint all committees, except when the Senate shall otherwise order. When the Senate shall be ready to go into committee of the whole he shall name a chairman to preside therein.

(2) He shall assign to the doorkeepers their respective duties and stations.

(3) Immediately upon the final passage of any bill by the Senate he shall certify that the same has been duly passed, with the date thereof, together with the fact whether passed as a majority, three-fifths or two-thirds bill, as required by the Constitution and Laws of the State, and deliver said bill to the Clerk.

OF THE TEMPORARY PRESIDENT.

3. The Temporary President, when acting as President, shall be invested with all the powers and duties conferred by these rules upon the President.

OF THE CLERK.

4. (1) It shall be the duty of the Clerk to have the Journal of each day's proceedings printed, and copies thereof placed on the files of the President, Senators and reporters within three days after approval by the Senate.

(2) He shall also furnish each Senator daily with a printed list of the general orders, which shall be kept on file by the Superintendent of Documents, in the same manner as other documents, and he shall also prepare a daily calendar of all bills, engrossed or printed, for a final reading, and place and keep the same, together

with printed copies of such bills, on the desk of each Senator; he shall see that all bills shall be acted upon by the Senate in the order in which they are reported and stand upon the calendar, unless otherwise ordered by two-thirds of the Senate.

(3) He shall present to the Governor, and enter upon the Journals, such bills as shall have originated in the Senate and been passed by both Houses. He shall, subject to the rules of the Senate, transmit to the Assembly all bills or concurrent resolutions which have passed the Senate.

(4) He shall designate the persons entitled to admission to the floor as reporters for the public press, not exceeding thirty-five in number, and may revoke any such designations, but no person shall be entitled to the privileges of the floor of the Senate as a legislative reporter of a newspaper who is interested in pending or contemplated legislation, or who is employed or receives compensation for influencing legislation.

OF THE SERGEANT-AT-ARMS.

5. The Sergeant-at-Arms, except when absent in the discharge of his duties, shall be in constant attendance upon the sessions of the Senate, and, under the direction of the President, aid in enforcing order on the floor of the Senate, in the lobbies, and in the rooms adjoining the Senate Chamber, and also see that no person remains on the floor unless entitled to the privileges of the same.

OF THE RIGHTS AND DUTIES OF SENATORS.

6. (1) A Senator presenting a paper shall indorse the same; if a petition, memorial, or report to the Legislature, with a brief statement of the subject of its contents, adding his name; if a notice or resolution, with his name; if a report of a committee, a statement of such report, with the name of the committee and Senator making the same.

(2) Senators shall not speak to each other or otherwise interrupt the business of the Senate, or read any newspaper while the Journals or public papers are being read; or walk out of or across the Chamber when the President is putting a question, or when a Senator is speaking pass between him and the chair.

(3) A Senator rising to debate or to present a petition or other paper, to give a notice, make a motion or report, shall address the President and shall not proceed further until recognized by the chair; he shall speak on the same subject but twice the same day

without leave of the Senate; and where two or more Senators address the chair the President shall name the Senator who is first to speak.

(4) Every Senator shall be present within the Senate Chamber during the sessions of the Senate, unless duly excused or necessarily prevented, and shall vote on each question stated from the chair unless excused by the Senate, or unless he has a direct personal or pecuniary interest in the event of such question. If any Senator refuses to vote, unless he be excused by the Senate, or unless he be interested, such refusal shall be deemed a contempt.

(5) A Senator desiring to be excused from voting may, when his name is called, make a brief statement, not occupying over five minutes, of the reasons for making such request, and the question on excusing him shall then be taken without debate, and any Senator desiring to explain his vote upon a bill, may, when his name is called, be allowed a like opportunity.

(6) In case a less number than a quorum of the Senate shall convene, those present are authorized to send the Sergeant-at-Arms, or any other person, for the absent Senators.

(7) In all cases of absence of Senators during the sessions of the Senate the Senators present may take such measures as they deem necessary to secure the presence of the absentees, and in addition to suspension for a given period, may inflict such censure or penalty as they may deem just on those who shall not render sufficient excuse for their absence.

7. There shall be the following standing committees:

To consist of eleven members each:

Finance.

Judiciary.

Affairs of cities.

Railroads.

To consist of nine members each:

Canals.

Commerce and navigation.

Codes.

Insurance.

Taxation and retrenchment.

To consist of seven members each:

Banks.

Forest, fish and game laws.

Internal affairs of towns and counties.

Military affairs.

Miscellaneous corporations.

Public education.

Public health.

Penal institutions.

Revision.

To consist of five members each:

Affairs of villages.

Agriculture.

Printed and engrossed bills.

Indian affairs.

Trade and manufactures.

Privileges and elections.

Public printing.

Roads and bridges.

To consist of three members:

Rules.

Said committees and all committees of the Senate, including joint and conference committees, shall be appointed during the years 1907 and 1908 by the Temporary President, unless otherwise ordered.

8. It shall be the duty of the committee on public printing to examine and report on all questions of printing referred to them, and every motion to print any petition, resolution, report, bill, message or other manuscript shall be referred to such committee. They shall, when practicable, report the approximate cost of all extra printing, and report to the Senate, from time to time, any measure they shall deem useful for the economical and proper management of the public printing.

9. The committee on printed and engrossed bills shall examine all bills, amendments and resolutions which are required to be printed or engrossed, before they go out of the possession of the Senate, and make report when they find them correctly printed or engrossed before they are read the third time; they shall also compare such amendments as may be made in the Assembly to Senate bills, and that are concurred in by the Senate after they shall have been reprinted or re-engrossed in the Senate, for the purpose of seeing if they are correctly printed or engrossed. And no bill shall be passed unless it shall have been printed and upon

the desk of each Senator in its final form at least three calendar legislative days prior to its final passage, unless the Governor or acting Governor shall have certified to the necessity of its immediate passage, under his hand and the seal of the State, nor unless the committee on printed and engrossed bills shall have reported that such bill is correctly printed or engrossed. All bills recalled from the Governor for the purpose of amendment, if amended, and all Senate bills amended by the Assembly, and returned to the Senate for its concurrence, and all bills amended by the report of a conference committee, shall be subjected to the provisions of this rule and the second clause of Rule 4.

10. The committee on revision shall examine and correct bills referred to it, for the purpose of avoiding repetitions and ensuring accuracy in the text and references. It shall also report whether the object sought to be accomplished can be secured without a special act under existing laws, or by enactment of a general law.

11. Every report of a committee upon a bill which shall not be considered at the time of making the same, or laid on the table by a vote of the Senate, shall stand upon the general orders with the bill and be entered upon the Journal.

OF GENERAL ORDERS AND SPECIAL ORDERS.

12. The matters referred to the committee of the whole Senate shall constitute the general orders, and the business of the general orders shall be taken up as follows, viz.: When the chairman named by the President has taken the chair, the Clerk shall announce the title of each bill, with the printed number, or other matter, as it shall be reached in its order, when it may be taken up on the motion of any Senator without the putting of any question therefor, and be considered immediately, and so on until the calendar is exhausted, or a motion is carried that the committee arise. Any bill not so moved shall lose its preference for the day.

13. Whenever any bill or other matter is made a special order for a particular day, and it shall not be completed on that day, it shall retain its place in the general orders for another day; and when a special order is under consideration, it shall take precedence of any special order for a subsequent hour of the same day; but such subsequent special order may be taken up immediately after the previous special order has been disposed of.

OF THE COMMITTEE OF THE WHOLE.

14. The rules of the Senate shall be observed in the committee of the whole, so far as they may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken. Such committee may strike out the enacting clause of a bill and report that fact to the Senate; and if the report be agreed to by the Senate, it shall be deemed a rejection of the bill.

15. Bills committed to a committee of the whole Senate shall, in committee of the whole, be read through by sections. The report shall state whether or not said bill has been amended in committee of the whole. After the report the bill shall be subject to debate and amendment before the question to print or engross it is put; but such amendments only shall be in order as were offered and decided in the committee of the whole Senate, except by unanimous consent.

16. A motion that the committee rise and report progress on any bill shall always be in order, and shall be decided without debate.

OF BILLS.

17. Every bill shall be introduced by a Senator in his place, or on the report of a committee, or by message from the Assembly, and after its first and second reading unless otherwise ordered by the Senate, shall be referred to a standing or select committee, to consider and report thereon. When a bill is received as a message from the Assembly, and a Senate bill, identical therewith, is on the order of third reading in the Senate, or in the committee of the whole, the Assembly bill may be substituted for the Senate bill upon a vote of a majority of the Senate. A motion for such substitution shall be in order under the order of business of messages from the Assembly, motions and resolutions, or the order of business in which the Senate bill is. No private bill shall be introduced by a Senator, or on a report of a committee, unless accompanied by a memorial or petition signed and verified by the party or parties praying for the passage of the same, except by order of the Senate.

Every bill introduced by a Senator shall be in duplicate and shall have indorsed thereon a statement of its title, with his name.

The titles of all bills proposing amendments to chapter 378 of the Laws of 1897, entitled "An act to unite into one municipality under the corporate name of The City of New York, the various

communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn, the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof," and also proposing amendments to the Penal Code, the Code of Criminal Procedure, the Code of Civil Procedure, the Revised Statutes, or to any existing laws, when introduced into the Senate, must contain not only the number of the chapter of the statute to be amended, but also must quote the title of the chapter to be amended, and some brief reference to the subject-matter of the proposed amendment, and the Clerk of the Senate is hereby directed to return any bill to the Senator introducing the same, when this rule has not been complied with.

18. When a bill shall be reported by a committee of the whole, and not otherwise disposed of, the question shall be, "Shall the report be agreed to?" And when the report of such committee, if favorable, shall be agreed to and the bill not otherwise disposed of, the bill shall be ordered printed and engrossed for a third reading. Upon such question the merits of the bill may be debated, and a motion to commit, or recommit, or to amend, as provided in the fifteenth rule, or lay on the table, or to postpone to a future day, shall be in order. If such question be decided in the negative, such bills shall be deemed lost.

19. Every bill shall receive three readings previous to its being passed, and the President shall give notice at each, whether it be the first, second or third. No bill shall be amended or committed until it shall have been read twice, and no bill shall be read a third time out of its regular order, unless on a vote of two-thirds of all the Senators present voting; and all resolutions which propose any amendment to the Constitution shall be treated in the form of proceedings on them, in a similar manner with bills, and no bills shall be ordered to a third reading without having been acted upon in committee of the whole.

20. After a bill or resolution to amend the Constitution shall be ordered to a third reading, no motion to amend the same shall be in order without unanimous consent; but any such bill or resolution may be committed prior to the final reading thereof.

21. When any bill requiring the concurrence of two-thirds of the Senators is under consideration, such concurrence shall not be requisite except on the question of its final passage.

22. The question on the final passage of every bill shall be taken by ayes and noes, which shall be entered on the Journal, and unless the bill receives the number of votes required by the Constitution to pass it, it shall be declared lost, except in cases provided for by the twenty-fifth rule, and such question shall be taken immediately after the third reading and without debate.

23. Every bill immediately upon its introduction shall be printed and placed on the files of the Senators. It shall retain its original printed number when reprinted, together with its new number thereafter during all stages of its progress. All bills reported favorably or for consideration, if reported with amendments, shall be immediately reprinted.

Every bill when introduced, and every amendment thereafter made to such bill amending existing law, must have all new matter underscored, and all matter eliminated by amendment from existing law must appear in its proper place inclosed in brackets. In the printed bill such new matter shall be italicized and all matter eliminated from existing law shall be inclosed in black-faced brackets. Where a printed bill is amended by eliminating new matter from such bill, the same shall be omitted in the reprint of the original.

It shall be the duty of the President to direct the Clerk to cause any bill appearing on the calendar and not complying with this rule to be immediately amended and reprinted so as to comply with the same.

There shall be printed for the use of the Senate as authorized by section seventy-four of the legislative law three hundred additional copies of such general Senate bills as may be designated by the Clerk of the Senate.

24. The vote on the final passage of any bill appropriating moneys or property, or creating, continuing, altering or removing any body politic or corporate, shall not be reconsidered whenever any such bill shall be lost, unless by a vote of a majority of all the Senators elected, but all other bills, when the same shall have been lost, may be reconsidered by a vote of a majority of all the Senators present and voting; nor shall any bill be referred to a select committee with power to report complete, unless such bill has been previously considered in committee of the whole and read through by sections.

25. If, on taking the final question on a bill, it shall appear that a constitutional quorum is not present, or if the bill requires

a vote of two-thirds of all the Senators elected to pass it, and it appears that such number is not present, the bill shall be laid on the table and the final question taken thereon at such time as the Senate may order.

ON MOTIONS AND THEIR PRECEDENCE.

26. When a question is before the Senate, only the following motions shall be received, and such motions shall have precedence in the order here stated, viz.:

1. For an adjournment.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone indefinitely.
5. To postpone to a certain day.
6. To commit to a standing committee.
7. To commit to a select committee.
8. To commit to the committee of the whole.
9. To amend.

The motion to adjourn, or for a call of the Senate, or to lay on the table, shall be decided without debate, and shall always be in order except as provided in Rules 1, 33 and 48.

27. All motions shall be reduced to writing, if desired by the President or any Senator, delivered to the Clerk, and read before the same shall be debated; any motion may be withdrawn at any time before decision or amendment.

28. If the question in debate contains several points, a Senator may have the same divided, provided the division called for embodies a distinct principle or statement of fact.

29. A motion to postpone, commit or refer, until it is decided, shall preclude all debate of the main question.

30. When a blank is to be filled, and different sums or time shall be proposed, the question shall be first taken on the highest sum and the longest time.

31. When a question has once been put and decided, it shall be in order for any Senator to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the Senate; and before the first day of March no bill or resolution shall be sent from the Senate on the day of its passage; nor shall any motion for reconsideration be in order un-

less made on the same day on which the vote was taken, or within the next three days of the actual session of the Senate thereafter. Nor shall any question be reconsidered more than once. But when a bill or resolution shall have been recalled from the Governor or from the Assembly, a motion for reconsideration may be made at any time thereafter while the same is in the possession of the Senate, and all resolutions recalling a bill or resolution from the Governor or Assembly shall be regarded as privileged. No vote shall be reconsidered upon either of the following motions:

To adjourn.

To lay on the table.

32. All concurrent resolutions shall lie on the table at least one day, except as otherwise directed by Rule 31, and except concurrent resolutions referring to adjournment.

ON CLOSING DEBATE.

33. When any bill, resolution or motion shall have been under consideration for six hours it shall be in order for any Senator to move to close debate, and the President shall recognize the Senator who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put, and if it shall receive the affirmative votes of a majority of the Senators present, the pending measure shall take precedence over all other business. The vote shall thereupon be taken upon such bill, motion or resolution, with amendments as may be pending at the time of such motion according to the rules of the Senate, but without further debate, except that any Senator who may desire so to do shall be permitted to speak thereon not more than once and not exceeding one-half hour. After such motion to close debate has been made by any Senator no other motion shall be in order until the same has been voted upon by the Senate. After the Senate shall have adopted the motion to close debate, as hereinbefore provided, no motion shall be in order but one motion to adjourn. Should said motion to adjourn be carried, the measure under consideration shall be the pending question when the Senate shall again convene, and shall be taken up at the point where it was at the time of such adjournment. The motion to close debate may be ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill, resolution or motion to its

passage or rejection. All incidental questions of order, or motions to commit, arising after a motion is made to close debate, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

34. If at any time during the session of the Senate a question shall be raised by any Senator as to the presence of a quorum, the presiding officer shall forthwith direct the Clerk to call the roll, and shall announce the result, and such proceedings shall be without debate; but no Senator while speaking shall be interrupted by any other Senator raising the question of a lack of a quorum, and the question as to the presence of a quorum shall not be raised oftener than once in every hour unless the lack of a quorum shall be disclosed upon a roll call of the ayes and noes. Whenever upon a roll call any Senator who is upon the floor of the Senate chamber refuses to make response when his name is called, it shall be the duty of the presiding officer, either upon his own motion or upon the suggestion of any Senator, to request the Senator so remaining silent to respond to his name, and if such Senator fails to do so, the fact of such request and refusal shall be entered in the Journal, and such Senator shall be counted as present for the purpose of constituting a quorum.

OF QUESTIONS OF ORDER.

35. All questions relating to the priority of business shall be decided without debate.

36. When the reading of a paper is called for, except petitions, and the same is objected to by any Senator, it shall be determined by a vote of the Senate, without debate.

37. When a Senator shall be called to order, he shall take his seat until the President shall have determined whether he is in order or not; and if decided to be out of order, he shall not proceed without the permission of the Senate; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. No second appeal shall be determined until the original appeal shall be decided; and if a Senator shall be called to order for words spoken, the words excepted to shall be immediately taken down in writing.

38. Upon a division in the Senate, the names of those who voted for or against a question shall be entered alphabetically on the minutes, if any Senator requires it, except on motion to excuse a Senator from voting, which shall be decided by count; and each

Senator called upon, unless for special reasons he be excused by the Senate, shall declare openly and without debate his assent or dissent to the question.

OF EXECUTIVE SESSION.

39. On motion to close the doors of the Senate, on the discussion of business which in the opinion of any Senator may require secrecy, and during the consideration of all business in executive session, the President shall direct all persons, except the Senators and Clerk of the Senate, his messenger, the Journal Clerk and Sergeant-at-Arms of the Senate to withdraw; and during the discussion of said motion the doors shall remain shut; and every Senator and officer of the Senate shall keep secret all such matters, proceedings and things which shall transpire while the doors remain closed.

40. The proceedings of the Senate upon executive business shall be kept in a Journal separate from its proceedings upon legislative business.

41. The Senate shall go into consideration of executive business on the first and third Wednesdays of every month that it is in session at 12 o'clock, noon, and at such other times as may be ordered by a vote of the majority of the Senators present. All nominations sent by the Governor for the appointment of any officer (except notaries public) shall be referred, unless the Senate otherwise orders, to any standing committee of the Senate. Nominations of persons for the office of notary public shall be referred to the Senator from the district in which the nominee resides, except that when the nominee resides in the city and county of New York, the reference shall be to the Senators from that city and county; and when the nominee resides in the county of Kings, the reference shall be to the Senators from that county.

MISCELLANEOUS PROVISIONS.

42. None but the President, Senators and Clerks shall be allowed to take books belonging to the Senate library; and on taking books, each of the persons above mentioned shall furnish to the Librarian a list of those taken and his name and shall be responsible for them; and it shall be the duty of the Librarian to have a book in which to enter the delivery of the books so taken and their return, and it shall be his duty to see that the books in the library are kept in order and in their place at the opening of each morning session.

43. It shall be the duty of the Superintendent of Documents and his assistants to have the documents and bills promptly placed on the files of the President and Senators in the order of their numbers, and it shall be the duty of the Postmaster to see that the mails are punctually delivered.

44. The Senate library, post-office and document rooms shall be opened every morning during the session at 8:30 o'clock and remain open until 5 o'clock p. m., and shall also be open at all times when the Senate may be in session.

45. A rule of the Senate shall not be altered, suspended or rescinded without a vote of a majority of all the Senators elected; and a motion to suspend, alter or rescind any such rule, or any joint rule of the two Houses, shall not be in order, without the unanimous consent of the Senate, unless one day's previous notice thereof in writing shall be given; specifying the purpose of the proposed suspension, alteration or rescission; provided that nothing in this rule shall limit the provisions of the first and thirty-third rules.

46. Whenever a claim is referred to a committee, and the committee reports that the claim ought not to be allowed, and the report is adopted by the Senate, it shall not be in order to move to take the papers from the files for the purpose of referring them to a subsequent session, unless the claimants shall present a memorial for that purpose, stating in what manner the committee have erred in their report, or that new evidence had been discovered since the report, and setting forth the same in the memorial.

47. All resolutions calling for the expenditure of moneys must be decided by a majority vote of all the members elected to the Senate, upon a call of the roll.

48. For the purpose of securing the attendance of Senators, a call of the Senate may be ordered at any time, but such call shall not be in order after the voting on any question has begun, nor after the third reading of a bill has been completed, nor after the motion to close debate has been ordered pursuant to Rule 33, unless it shall appear upon an actual count by the President that a quorum is not present.

49. Persons not members of the Senate, or officers or employes thereof, shall be admitted to the floor of the Senate only as follows:

1. The Governor, his secretary and messenger.
2. The members and Clerk of the Assembly, and clerks and messengers of the Assembly in the exercise of an official duty directly connected with the business of the Senate.
3. The elected State officers, heads of departments and their deputies.
4. Reporters of the Senate and of the Assembly designated under the rules, unless a designation theretofore given them has been revoked.
5. Ladies and members of a Senator's family, or of the family of the President of the Senate, on the card of a Senator, or of the President of the Senate.
6. Former members of the Senate.
7. Any person not hereinbefore named may be admitted to the parlor of the Senate.
8. During the sessions of the Senate, no person other than a Senator shall occupy the chair of a Senator.
50. An officer or employe of the Senate shall not solicit subscriptions, for any purpose, from any other officer or employe thereof, nor from any Senator.

Mr. Page moved to amend Rule IV, subdivision 4, by striking out the words "and may revoke any such designations."

Mr. Saxe moved to amend as follows:

"Strike out subdivision 4 of rule 4."

"Amend rule 49, subdivision 4, to read as follows:

"4. Reporters of the public press, not exceeding thirty-five in number, to be designated by a majority vote, which designations may be revoked by a similar vote."

The President put the question whether the Senate would agree to said motion of Mr. Saxe, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|---------|---------|---------|-------|--------|----|
| Agnew | Foelker | Heacock | Owens | Taylor | |
| Cobb | Frawley | Hinman | Page | Travis | |
| Cohalan | Fuller | Hooker | Saxe | White | 15 |

FOR THE NEGATIVE.

| | | | | | |
|-----------|----------|-----------|----------|------------|----|
| Ackroyd | Cullen | Gates | Hill | Ramsperger | |
| Armstrong | Davis | Gilchrist | McCall | Sohmer | |
| Boyce | Dunn | Grady | Mullaney | Sullivan | |
| Carpenter | Emerson | Grattan | O'Neil | Thompson | |
| Cassidy | Fancher | Harte | Raines | Wemple | |
| Cordts | Franchot | Hasenflug | | | 28 |

Leave of absence was granted to Mr. McCarren until Monday, also to Mr. Smith indefinitely.

Mr. Page moved a call of the Senate.

The President put the question whether the Senate would agree to the said motion, and it was determined in the affirmative.

By direction of the President the Clerk called the roll, when the following Senators responded:

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Hinman | Saxe |
| Agnew | Cullen | Gates | Hooker | Sohmer |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | Mullaney | Taylor |
| Burr | Emerson | Grattan | O'Neil | Thompson |
| Carpenter | Fancher | Harte | Owens | Travis |
| Cassidy | Foelker | Hasenflug | Page | Tully |
| Cobb | Franchot | Heacock | Raines | Wemple |
| Cohalan | Frawley | Hill | Ramsperger | White |

Mr. Raines moved that all further proceedings under the call of the Senate be suspended.

The President put the question whether the Senate would agree to said motion, and it was determined in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Page, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|---------|---------|--------|--------|-------|----|
| Agnew | Fuller | Hooker | Taylor | Tully | |
| Cohalan | Heacock | Page | Travis | White | |
| Foelker | Hinman | Saxe | | | 13 |

FOR THE NEGATIVE.

| | | | | | |
|-----------|----------|-----------|-----------|------------|----|
| Ackroyd | Cordts | Frawley | Hasenflug | Raines | |
| Armstrong | Cullen | Gates | Hill | Ramsperger | |
| Boyce | Davis | Gilchrist | McCall | Sohmer | |
| Burr | Dunn | Grady | Mullaney | Sullivan | |
| Carpenter | Emerson | Grattan | O'Neil | Thompson | |
| Cassidy | Fancher | Harte | Owens | Wemple | |
| Cobb | Franchot | | | | 32 |

Mr. White moved to amend as follows:

"Rule IV, subdivision 4, strike out the words 'and may revoke any such designation,' and insert the following:

"But the Senate reserves the right to revoke any such designation by a majority vote."

Mr. Grady raised the point of order that the amendment offered is substantially the same as that offered by Mr. Page, heretofore decided in the negative.

The President held the point of order not well taken.

The President put the question whether the Senate would agree to said motion of Mr. White, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|---------|---------|--------|--------|--------|
| Agnew | Fuller | Hinman | Page | Travis |
| Cohalan | Harte | Hooker | Saxe | Tully |
| Foelker | Heacock | Owens | Taylor | White |
| Frawley | | | | |

16

FOR THE NEGATIVE.

| | | | | |
|-----------|---------|-----------|----------|------------|
| Ackroyd | Cobb | Fancher | Hasenfug | Ramsperger |
| Armstrong | Cordts | Franchot | Hill | Sohmer |
| Boyce | Cullen | Gates | McCall | Sullivan |
| Burr | Davis | Gilchrist | Mullaney | Thompson |
| Carpenter | Dunn | Grady | O'Neil | Wemple |
| Cassidy | Emerson | Grattan | Raines | |

29

The President then put the question whether the Senate would agree to the said report of the committee on rules, and it was decided in the affirmative.

Leave of absence until Monday was granted to Messrs. Fuller, Saxe, Frawley, Carpenter, Cohalan, Gilchrist, White, Tully, Emerson, Wemple, Travis, Hinman and Franchot.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, JANUARY 17, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. S. Graham.

The journal of yesterday was read and approved.

Mr. Foelker introduced a bill (Int. No. 148) entitled "An act to appropriate \$25,000 to erect a suitable monument or memorial in Cypress Hills cemetery, borough of Brooklyn, to the memory of the soldiers who served in the War of 1812," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Page introduced a bill (Int. No. 149) entitled "An act to amend section 253, chapter 580 of the Laws of 1902, known as the Municipal Court Act, with reference to the opening of defaults, and vacating judgments," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 150) entitled "An act to regulate the practice of medicine, and to repeal article 8 of chapter 661 of the Laws of 1893 and acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also a bill (Int. No. 151) entitled "An act in relation to the Medical Society of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, a bill (Int. No. 152) entitled "An act to amend chapter 410 of the Laws of 1882, as amended by chapter 1004 of the Laws of 1895, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the Court of General Sessions and its judges and officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Taylor introduced a bill (Int. No. 153) entitled "An act to amend chapter 213 of the Laws of 1904, entitled 'An act to make the office of county clerk of Orange county a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to the fees of such clerk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Smith introduced a bill (Int. No. 154) entitled "An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie,' as amended, relative to the power of the common council to pass ordinances," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Smith, and by unanimous consent, the rules

were suspended, and said bill ordered to a third reading and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Also, a bill (Int. No. 155) entitled "An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie,' as amended, relative to the power of said city to take and receive gifts, bequests and devises," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Smith, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Mr. Dunn introduced a bill (Int. No. 156) entitled "An act to amend chapter 258 of the Laws of 1900, entitled 'An act in relation to the Court of Appeals law library at Rochester,' relative to librarians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 157) entitled "An act to legalize and confirm the proceedings of William Heffer, sole trustee, and the legal voters of school district No. 3 of the town of Penfield, N. Y., relative to the levy of a tax payable in installments and the issuance and sale of certain school bonds of said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hill introduced a bill (Int. No. 158) entitled "An act to amend the Forest, Fish and Game Law, relating to wild fowl on Niagara river and in Erie and Niagara counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Davis introduced a bill (Int. No. 159) entitled "An act to amend chapter 45 of the Laws of 1900, entitled 'An act to extend the time within which the Buffalo Southern Railway Company shall finish its road and put it in operation beyond its present construction and operation,' in relation to the time limitation,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Travis moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 21, Int. No. 21) entitled "An act to amend the charter of the city of New York, known as section 230 of chapter 466 of the Laws of 1901, to remove the present restriction upon the board of estimate and apportionment of the amount which shall annually be raised and appropriated for the maintenance of buildings, instruments and equipments of the Brooklyn Institute of Arts and Sciences," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President presented the report of the Commissioners on Uniform State Laws, which was ordered referred to the committee on the judiciary.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, JANUARY 18, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. H. O. Hiscox.

The journal of yesterday was read and approved.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, JANUARY 21, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. V. Wemple.

The journal of Friday, January 18th, was read and approved.

Mr. Foelker introduced a bill (Int. No. 160) entitled "An act to authorize the comptroller of the city of New York in his discretion to examine into the facts concerning the services rendered by Hector McNeile as clerk to a coroner of Kings county, and to provide for the payment of such claim," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hasenflug introduced a bill (Int. No. 161) entitled "An act to grant, give and release unto John Unterreiner all the right, title and interest of the people of the State of New York, acquired by escheat, in, of and to certain real property, which was of John E. Hughes, late of the borough of Brooklyn, city and State of New York, deceased, located in Kings and Nassau counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Grady introduced a bill (Int. No. 162) entitled "An act to promote the erection of a memorial of the late Andrew H. Green in the city of New York, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. McCall introduced a bill (Int. No. 163) entitled "An act to amend sections 1458, 1459, 1460 and 1461, and to add sections 1462, 1463 and 1464 to chapter 466 of the Laws of 1901 (the Greater New York charter), in relation to stages, omnibuses and other vehicles for the transportation of passengers for hire," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 164) entitled "An act to amend the Greater New York charter relative to the pension fund of the fire department," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 165) entitled "An act to amend chapter 466 of the Laws of 1901 (the Greater New York charter), by providing for the licensing of theatre ticket brokers and the regulation of the theatre brokerage business," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 166) entitled "An act to amend the Greater New York charter, relative to the New York fire department relief fund and pensions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Saxe introduced a bill (Int. No. 167) entitled "An act to amend the Penal Code, in relation to unlawful exclusion of persons from the theaters or places of amusement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 168) entitled "An act to amend the Tax Law by providing for the apportionment of State taxes and for local option in taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Cohalan introduced a bill (Int. No. 169) entitled "An act to repeal chapter 646 of the Laws of 1905, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Wemple introduced a bill (Int. No. 170) entitled "An act to amend chapter 64 of the Laws of 1854, entitled 'An act to incorporate the Saratoga Lake Bridge Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Heacock introduced a bill (Int. No. 171) entitled "An act to legalize the proceedings of the board of trustees of the village

of Cobleskill, Schoharie county, in submitting to the voters of said village at its annual election held December 3, 1906, a proposition to borrow money and issue bonds for the taking and acquiring title to the real estate in said village known as the 'Wood property,' and such other real estate lying near the same as may be deemed necessary for the establishment of a public park, and legalizing the vote on said proposition, and all proceedings of said board of trustees had thereunder, and to provide for the payment of the principal and interest of said bonds issued or to be issued thereunder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. O'Neil introduced a bill (Int. No. 172) entitled "An act to legalize the action of the board of supervisors of St. Lawrence county in dividing the town of Canton into town meeting districts, and providing for the conducting of town meetings therein," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. O'Neil, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Ackroyd introduced a bill (Int. No. 173) entitled "An act to extend Linden street in the city of Utica through the lands of the State hospital at Utica, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 174) entitled "An act making an appropriation to pay the State's share of the cost of paving Canal street in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 175) entitled "An act making an appropriation to pay the State's share of the cost of paving Liberty street in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Boyce introduced a bill (Int. No. 176) entitled "An act authorizing the Court of Claims of the State of New York to

hear and determine the case of Arthur L. Condit against the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence the bill (No. 61, Rec. No. 1) entitled "An act to legalize, confirm and validate certain conveyances made by the trustees of the village of Ellenville, in the county of Ulster, and certain conveyances made to the trustees of the village of Ellenville, in the county of Ulster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 100, Rec. No. 2) entitled "An act to legalize and validate certain bonds of the village of Scotia, and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof, and for the levy of a tax for the payment of the principal and interest thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, the bill (No. 101, Rec. No. 3) entitled "An act to accept a deed of gift from William Pryor Letchworth, bachelor, to the people of the State of New York, of land in the town of Genesee Falls, Wyoming county, and the town of Portage, Livingston county, this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The President presented the report of the Superintendent of Public Works, which was laid upon the table and ordered printed.

(See Document.)

Leave of absence was granted to Mr. Thompson until January 28th.

Mr. Saxe moved that the committee on finance be discharged from the consideration of Senate bill (No. 113, Int. No. 111), entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judi-

cial district, and the Appellate Division thereof in the First Department,' relative to the appointment of a confidential clerk," and that said bill be amended, reprinted and recommitted to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, JANUARY 22, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. F. Hollinshead.

The journal of yesterday was read and approved.

Mr. Mullaney introduced a bill (Int. No. 177) entitled "An act to amend the Greater New York charter by enacting a new section, to be known as section 823-e, relative to the acquirement of certain water front property between Montgomery street and East Sixteenth street, on the East river, borough of Manhattan, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grady introduced a bill (Int. No. 178) entitled "An act to amend subdivision 4 of section 1103 of the Code of Civil Procedure as to the minutes of the drawings of jurors and the custody thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Owens introduced a bill (Int. No. 179) entitled "An act directing the conveyance to the city of New York of the sunken meadows in the East river adjacent to Randall's island, and of the land under water surrounding the same to the bulkhead line," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Smith introduced a bill (Int. No. 180) entitled "An act to amend the Forest, Fish and Game Laws, in relation to imported black cock, rebhubner; red leg, lapwing, Egyptian quail," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Ackroyd introduced a bill (Int. No. 181) entitled "An act to permit the electors of the towns of Vernon and New Hartford, in the county of Oneida, to vote upon the proposition to make the charge of 15 per cent. of cost of roads already improved in said towns, under chapter 115 of the Laws of 1898, a town charge instead of a charge upon abutting owners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Hinman introduced a bill (Int. No. 182) entitled "An act to amend the Public Health Law, in relation to the practice of osteopathy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Franchot introduced a bill (Int. No. 183) entitled "An act making appropriations for the expense of improvements at the State Reservation at Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Saxe introduced a bill (Int. No. 184) entitled "An act to amend the Greater New York charter, in relation to conferring additional powers and jurisdiction upon the park board and the commissioner of parks for the boroughs of Manhattan and Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 50, Rec. No. 4) entitled "An act making an appropriation for a deficiency in the appropriation for the current fiscal year for the Attorney-General," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Grady, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on finance, retaining its place on the order of third reading.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, JANUARY 23, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. T. O. Grieves.

The journal of yesterday was read and approved.

Mr. Travis introduced a bill (Int. No. 185) entitled "An act to amend chapter 532 of the Laws of 1906, entitled 'An act to amend the Tax Law, in relation to the taxation of mortgages of real property,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Agnew introduced a bill (Int. No. 186) entitled "An act to amend chapter 3 of the general laws, known as the Civil Service Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 187) entitled "An act to incorporate Alliance Francaise de New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Saxe introduced a bill (Int. No. 188) entitled "An act to amend the Public Health Law, relating to pharmacy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, a bill (Int. No. 189) entitled "An act to amend section 484 of the Code of Civil Procedure, in relation to joining in the

same complaint causes of action for penalties incurred for violations of the Public Health Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 190) entitled "An act to amend the Greater New York charter, in relation to employment and payment of inspectors of removals of pavements or disturbances of surface of streets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Page introduced a bill (Int. No. 191) entitled "An act to repeal chapter 605 of the Laws of 1898, entitled 'An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir,' with any and all amendatory acts thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 192) entitled "An act to amend chapter 740 of the Laws of 1896, as amended by chapter 676 of the Laws of 1901, entitled 'An act to amend the charter of the Hebrew Benevolent and Orphan Asylum Society of the city of New York, and to authorize its appointment as general guardian of the person and property of infants under its care and control,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Owens introduced a bill (Int. No. 193) entitled "An act to provide for a monument in the city of New York to commemorate the deeds of the soldiers of the Sixty-third, Sixty-ninth, and Eighty-eighth Regiments of New York Volunteer Infantry, Meagher's Irish Brigade, which served in the War of the Rebellion from 1861 to 1865, and to make an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Cohalan introduced a bill (Int. No. 194) entitled "An act to amend the charter of the city of New York, relative to the acquirement and operation of ferries, and the acquirement of property therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 195) entitled "An act to amend the Greater New York charter, in relation to exempting the real estate of religious corporations in the city of New York from assessments for public improvements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 196) entitled "An act to permit the exemption from local taxation of buildings and other real estate improvements to an amount not exceeding \$3,000," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 197) entitled "An act to authorize the comptroller of the city of New York, in his discretion, to examine into the facts concerning the claim of the Church of St. Philip Neri for the repayment to it of certain moneys paid from an assessment upon its property situated in the Twenty-fourth ward of said city, borough of the Bronx," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 198) entitled "An act to provide for the registration of land titles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 199) entitled "An act to authorize the comptroller of the city of New York, in behalf of said city, to compromise, settle, cancel, annul and discharge certain taxes and assessments and interest thereon levied upon the property, the legal title of which is in the name of James A. Mullin, pastor of the Church of the Sacred Heart, in said city, situated in the Twenty-third ward of the city of New York, borough of the Bronx," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 200) entitled "An act to provide that proceedings and applications under chapter 490 of the Laws of 1883, entitled 'An act to provide new reservoirs, dams and a new aqueduct, with the appurtenances thereto, for the purpose of supplying the city of New York with an increased supply of pure and wholesome water,' and the acts amendatory thereof and supplemental thereto, shall be taken and made in the Supreme Court in the judicial district in which the lands affected or acquired are situated," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wemple introduced a bill (Int. No. 201) entitled "An act to authorize the board of supervisors of the county of Saratoga to acquire the real property, rights and franchise of the Saratoga Lake Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Emerson introduced a bill (Int. No. 202) entitled "An act to amend the Village Law, in relation to the compensation of the president and trustees, in villages having a population of 14,000 or over," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Heacock introduced a bill (Int. No. 203) entitled "An act to restore the Lake Champlain and Carthage road, rendered impassable at Stillwater on the Beaver river by reason of a State dam, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Cobb introduced a bill (Int. No. 204) entitled "An act to amend the Forest, Fish and Game Law, in relation to excepting the county of Lewis from the provisions relating to the close season for black bear," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. White introduced a bill (Int. No. 205) entitled "An act to provide for the erection of a suitable monument in honor of and to the memory of the New York troops who were engaged in the battle of Fort Stevens at Washington, D. C., July 11 and 12, 1864, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Fancher introduced a bill (Int. No. 206) entitled "An act declaring the Western New York Society for the Protection of Homeless and Dependent Children a charitable institution of the State, and enabling it to acquire land by condemnation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 207) entitled "An act to amend the Code of Civil Procedure, relative to fees of grand and trial jurors in Cattaraugus county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Grady introduced a bill (Int. No. 208) entitled "An act in relation to the use and occupancy of the Hall of Records in the county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarren introduced a bill (Int. No. 209) entitled "An act to amend chapter 667 of the Laws of 1900, entitled 'An act to amend the Public Health Law, and the acts amendatory thereof, in relation to pharmacy, and repealing certain sections thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Owens introduced a bill (Int. No. 210) entitled "An act to amend article 6, section 190 of the Real Property Law, known as chapter 46 of the general laws, in relation to landlords and tenants in cities of the first class," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Saxe introduced a bill (Int. No. 211) entitled "An act to provide for a judicial recount and recanvass of the votes cast

for the office of mayor at the election of the 7th of November, 1905, in all cities of the first class in which the ballots have been preserved," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Taylor introduced a bill (Int. No. 212) entitled "An act to provide for the construction of a fireproof museum building on the grounds of Washington's headquarters, at Newburgh, N. Y., and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Foelker introduced a bill (Int. No. 213) entitled "An act making an appropriation for the quarantine station at Swinburne island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. McCarren introduced a bill (Int. No. 214) entitled "An act to amend the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Franchot introduced a bill (Int. No. 215) entitled "An act to release to the trustees of the Lewiston high school academy all right, title and interest of the State to certain lands in the village of Lewiston, Niagara county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Foelker introduced a bill (Int. No. 216) entitled "An act making an appropriation for the quarantine station at Hoffman island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Agnew, from the committee on engrossed bills, reported as correctly printed and engrossed the Senate bill (No. 151, Int. No. 73), entitled "An act to authorize the Governor of the State, to accept on behalf of the people of the State, from William Pryor Letchworth, bachelor, a deed of gift to the people of the State of certain lands within the State, and to legalize a certain conveyance relating thereto."

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 51, Int. No. 51), entitled "An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel," reported the same to the Senate with amendments.

On motion of Mr. White, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on affairs of cities.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Franchot (No. 107, Int. No. 16), entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' authorizing it to issue its bonds for the construction of sewers," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Davis (No. 163, Int. No. 159), entitled "An act to amend chapter 45 of the Laws of 1900, entitled 'An act to extend the time within which the Buffalo Southern Railway Company shall finish its road and put it in operation beyond its present construction and operation,' in relation to the time limitation," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Carpenter (No. 65, Int. No. 65), entitled "An act to amend chapter 242 of the Laws of 1906, entitled 'An act to revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' in relation to the terms of office of the trustees of the village of Ossining, and the election to be held in said village on the second Tuesday of March, 1907," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wilcox (No. 100, Int. No. 100), entitled "An act to amend chapter 185 of the Laws of 1906, entitled 'An act to revise the charter of the city of Auburn,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Nevins (No. 101, Rec. No. 3), entitled "An act to accept a deed of gift from William Pryor Letchworth, bachelor, to the people of the State of New York, of land in the town of Genesee Falls, Wyoming county, and the town of Portage, Livingston county, this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Grady presented a minority report of said committee in the words following:

To the Senate of the State of New York:

The undersigned, a minority of the committee on finance, respectfully dissent from the favorable report, by a majority of such committee, of Assembly bill, printed number one hundred and one (101), entitled "An act to accept a deed of gift from William Pryor Letchworth, bachelor, to the people of the State of New York, of land in the town of Genesee Falls, Wyoming county, and the town of Portage, Livingston county, this State," for the reasons following:

There is offered to the Legislature the sole alternative of adopting the proposed legislation in the exact form in which the bill was introduced or, as a penalty for performing its duty, by amending the proposed enactment so as to clearly and positively safeguard the interests of the State, to stand chargeable with the responsibility of depriving the State of a most generous gift. Even in such a case the situation must be met with the courage and fidelity which, in the end, will command the approval of the intelligence of the State.

The bill, as reported, provides for the creation and perpetual maintenance of a public park or reservation and then vests, after the death of the grantor of the property so dedicated, "the control and jurisdiction thereof" in a private and practically self-perpetuating organization known as "The American Scenic

and Historic Preservation Society," which provision carries with it, as a necessary consequence, the condition that such private organization shall have the disbursement of every dollar appropriated by the State, in all the years to come, for the maintenance and possible improvement of such park or reservation.

The reasons assigned for insisting upon this peculiar provision, and its still more peculiar phrasing, are:

1st. That other property in the State is now in the care of the same society.

2d. That the society has co-operated with the grantor in the consideration and determination of plans intended by him for the improvement of the property with funds set aside, out of his private fortune.

3d. That such control is necessary to protect the property from the evil consequences likely to follow from a frequently changing partisan political management.

A complete answer to these propositions can readily be furnished.

1st. No property of the State is under the care of or under the control and jurisdiction of the society mentioned, but that it may at once be taken from such care, control and jurisdiction by act of the Legislature. In the present instance the control and jurisdiction, vested in the society, over the property in question can be terminated only by the action of the Supreme Court, "for good cause shown upon application of the Comptroller, or some duly authorized official of the State."

2d. There is not the slightest opposition on the part of any one, in so far as may be judged, to the society named carrying on, with the private funds of the grantor or any other like funds which may be obtained for such purpose, any plans regarding the proposed park or reservation which the grantor may now have in contemplation or may hereafter decide upon. Nor is there any objection to the society having full control and jurisdiction over the property, while such plans are being so executed. But this is not deemed sufficient by the promoters of the bill and no limitation of the society's control will be permitted by them beyond that provided in the bill as presented and practically no limitation whatever is provided for, as the pretended limitation is based upon a most improbable contingency, and one which the promoters of the bill do not expect will ever occur. That this is but a frank statement of the situation is evidenced by the rejection of a simple amendment, which would have secured for the bill the unanimous support of the committee on finance, limiting the control and jurisdiction of the society, "until the Legislature should otherwise determine."

3d. The control and jurisdiction can be vested in a public body, as in the case with the Niagara Park Reservation, without the probability of frequent change in the management or any likelihood that partisan political influence will dominate its affairs.

It is to be remembered that every public purpose accomplished by the bill as reported could be secured by a deed of trust directly to "The American Scenic and Historic Preservation Society." In such case, however, the maintenance and improvement of the property would be a charge upon the funds and resources of the private society while, should the bill in its present form ever become a law, such perpetual maintenance and necessary improvement is an implied obligation assumed by the State.

There can be no justification for entrusting to private hands the disbursement of public funds. Such a course is diametrically opposed to every sound principal of government and should not be tolerated. Particularly, is a departure from correct principles inexcusable when, as in the present instance, every praiseworthy object embodied in the bill may be secured in strict accordance with the plans of the donor, by a direct deed to the society, which, under the bill as reported, is not only constituted the agent of the grantor, in all matters where his wishes should be respected and obeyed, but is, as well, imposed upon the State as its disbursing agent, whether or not such agency be deemed by the Legislature as at all desirable.

All of which is respectfully submitted.

W. W. ARMSTRONG,
THOS. F. GRADY,
J. F. MULLANEY.

ALBANY, N. Y., *January 23, 1907.*

Ordered, That the foregoing minority report be laid upon the table and ordered printed.

Mr. Hill moved that the committee of the whole be discharged from the further consideration of the Assembly bill (No. 101, Rec. No. 3), entitled "An act to accept a deed of gift from William Pryor Letchworth, bachelor, to the people of the State of New York, of land in the town of Genesee Falls, Wyoming county, and the town of Portage, Livingston county, this State," and that said bill be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill having been announced for third reading, Mr. Armstrong moved that said bill be recommitted to the committee on finance, with instructions to said committee to report the same forthwith amended as follows:

Page 2, line 23, strike out the word "unless" and all of lines, 24, 25 and 26, and in lieu thereof insert the words "until the Legislature shall otherwise determine."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|---------|-----------|-------|--------|----------|---|
| Ackroyd | Armstrong | Grady | Hinman | Mullaney | 5 |
|---------|-----------|-------|--------|----------|---|

FOR THE NEGATIVE.

| | | | | | |
|-----------|-----------|-----------|------------|----------|----|
| Agnew | Emerson | Harte | O'Neil | Sohmer | |
| Burr | Fancher | Hasenflug | Owens | Sullivan | |
| Carpenter | Foelker | Heacock | Page | Taylor | |
| Cassidy | Franchot | Hill | Raines | Travis | |
| Cobb | Fuller | Hooker | Ramsperger | Wemple | |
| Cohalan | Gates | Knapp | Saxe | White | |
| Cullen | Gilchrist | McCall | Smith | Wilcox | |
| Davis | Grattan | McCarren | | | 38 |

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|----------|-----------|------------|----------|----|
| Ackroyd | Cullen | Gilchrist | McCall | Smith | |
| Agnew | Davis | Grattan | McCarren | Sohmer | |
| Burr | Emerson | Harte | O'Neil | Sullivan | |
| Carpenter | Fancher | Hasenflug | Owens | Taylor | |
| Cassidy | Foelker | Heacock | Page | Travis | |
| Cobb | Franchot | Hill | Raines | Wemple | |
| Cohalan | Fuller | Hooker | Ramsperger | White | |
| Cordts | Gates | Knapp | Saxe | Wilcox | 40 |

FOR THE NEGATIVE.

| | | | | |
|-----------|-------|--------|----------|---|
| Armstrong | Grady | Hinman | Mullaney | 4 |
|-----------|-------|--------|----------|---|

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

Mr. Ackroyd moved that the committee on affairs of villages be discharged from the consideration of Senate bill (No. 99, Int. No. 99), entitled "An act to amend section 5 of an act to amend chapter 10 of the Laws of 1859, entitled 'An act to amend section 5 of an act to amend chapter 10 of the Laws of 1859, entitled 'An act to amend the act, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Whitesboro,'" passed June 14, 1884, relative to new fire house in said village,'" and that said bill be amended, reprinted and recommit-
ted to the committee on affairs of villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President presented the report of the New York Training School for Girls, which was laid upon the table and ordered printed.

(See document.)

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, JANUARY 24, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. E. Sutherland.

The journal of yesterday was read and approved.

Mr. Foelker introduced a bill (Int. No. 217) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of 1,000,000 inhabitants' generally, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 218) entitled "An act to amend an act entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, being chapter 580 of the

Laws of 1902;’ to authorize the formation of an appellate term in the second judicial department; to appoint clerks and attendants; and to provide for the expenses thereof,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 219) entitled “An act to amend chapter 696 of the Laws of 1887, entitled ‘An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water, and remitting assessments therefor,’ relative to Young Men’s Christian Associations,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Travis introduced a bill (Int. No. 220) entitled “An act for the relief of the Brooklyn Young Men’s Christian Association,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fuller introduced a bill (Int. No. 221) entitled “An act to permit the board of estimate and apportionment of the city of New York to place a portion of Lincoln road in the borough of Brooklyn under the care, custody, control and maintenance of the department of parks of the city of New York,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Owens introduced a bill (Int. No. 222) entitled “An act to amend the Greater New York charter, relative to the apportionment of custodians of public schools,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 223) entitled “An act to publish a State register, relating to public officials of the State of New York,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Cohalan introduced a bill (Int. No. 224) entitled “An act to amend chapter 580 of the Laws of 1902, entitled ‘An act in relation to the Municipal Court of the city of New York, its officers and marshals,’ relative to the issuance of subpoenas and

the attendance of witnesses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Heacock introduced a bill (Int. No. 225) entitled "An act to amend chapter 319 of the Laws of 1903, entitled 'An act to make the office of sheriff of Herkimer county a salaried office, and to regulate the management of said office,' relative to fees of deputy sheriffs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Cobb introduced a bill (Int. No. 226) entitled "An act supplementary to chapter 107 of the Laws of 1821, entitled 'An act declaring a part of the Black river a public highway, and for other purposes,' passed March 16, 1821," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ackroyd introduced a bill (Int. No. 227) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit, and determine the alleged claim of Morris C. Copeland against the State of New York, for damages alleged to have been sustained by him, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gates introduced a bill (Int. No. 228) entitled "An act to amend chapter 225 of the Laws of 1901, entitled 'An act to incorporate the city of Oneida,' in relation to sewers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Armstrong introduced a bill (Int. No. 229) entitled "An act making an appropriation for expenses of the Senate and Assembly," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on finance, retaining its place on the order of third reading.

Mr. Franchot introduced a bill (Int. No. 230) entitled "An act to amend chapter 294 of the Laws of 1904, entitled 'An act to

make the office of sheriff of Orleans county a salaried one, in part, and to regulate the management thereof,' in relation to salary of under sheriff," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Hill introduced a bill (Int. No. 231) entitled "An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Agnew introduced a bill (Int. No. 232) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Harte introduced a bill (Int. No. 233) entitled "An act to authorize and empower the board of estimate and apportionment of the city of New York to audit and allow the claims, and provide for the payment for services rendered to the city of New York, by volunteer firemen of the boroughs of Queens and Richmond, whose services ceased upon the extension of the paid fire department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 234) entitled "An act to provide for the payment of the claim of Robert E. Jones for furnishing work, labor, services and materials in the repair of the fire alarm system in the Fifth ward of the borough of Queens in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Carpenter (No. 119, Int. No. 117), entitled "An act to validate, legalize and confirm all of the proceedings of the legal voters of school district No. 1, in the town of Ossining, Westchester county, N. Y., at the annual meeting thereof held on the 7th of August, 1906; adjourned an-

nual meeting thereof held on the 11th of September, 1906; at the special election thereof held on the 13th of October, 1906, and the action of the board of education of said district, prior and subsequent thereto, relative to acquiring a school house site and constructing a new school building therein, in said district, and the levying of a tax and the sale and issuance of certain bonds of said district," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Frisbie (No. 100, Rec. No. 2), entitled "An act to legalize and validate certain bonds of the village of Scotia, and proceedings heretofore taken, for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof, and for the levy of a tax for the payment of the principal and interest thereof," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. O'Neil (No. 144, Int. No. 141), entitled "An act to confirm the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water-works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds the company assumed as a part of the purchase price of its said system of water works," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Cunningham (No. 61, Rec. No. 1), entitled "An act to legalize, confirm and validate certain conveyances made by the trustees of the village of Ellenville, in the county of Ulster," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Agnew (No. 36, Int. No. 36), entitled "An act to incorporate the Public Health Defense League," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. O'Neil (No. 145, Int. No. 142), entitled "An act to legalize the issuing of bonds of the town of Franklin, in the county of Franklin, authorized by the board of supervisors of said county for the purpose of defraying the expense of filling in and repairing a portion of the highway leading from Loon Lake to Bloomingdale, known as the 'Long Crossway,' in said town, and to provide for the payment of the principal and interest thereof," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. O'Neil, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Wemple (No. 141, Int. No. 138), entitled "An act to change the name of the Methodist Episcopal Church in the city of Schenectady, to the First Methodist Episcopal Church of the City of Schenectady, New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Boyce (No. 14, Int. No. 14), entitled "An act to amend section 1, chapter 151, Laws of 1861, entitled 'An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Boyce, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Wilcox (No. 54, Int. No. 54), entitled "An act to repeal section 80-a of the Forest, Fish and Game Law, in relation to fishing for non-game fish in Cayuga lake and tributary streams," reported in

favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Senate bill (No. 151, Int. No. 73) entitled "An act to authorize the Governor of the State to accept on behalf of the people of the State, from William Pryor Letchworth, bachelor, a deed of gift to the people of the State, of certain lands within the State, and to legalize a certain conveyance relating thereto," having been announced for a third reading,

Mr. Hill moved that said bill be recommitted to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Agnew moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 38, Int. No. 38), entitled "An act to amend the Labor Law, and repeal chapter 9 of the Laws of 1901, relative to the organization of the Department of Labor," and that said bill be amended, reprinted and recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President presented the report of the State Engineer and Surveyor, transmitting maps of the system of State and county highways.

Ordered, That said report and maps be referred to the committee on internal affairs of towns and counties.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, JANUARY 25, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. H. A. Freer.

The journal of yesterday was read and approved.

Mr. Cobb introduced a bill (Int. No. 235) entitled "An act to amend the Code of Civil Procedure, relative to fees of grand

and trial jurors in certain counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

The Assembly sent for concurrence the bill (No. 34, Rec. No. 5) entitled "An act to confirm the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water-works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds the village assumed as a part of the purchase price of its said system of water works," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. O'Neil, and by unanimous consent, said bill was substituted for Senate bill (No. 144, Int. No. 141), now on the order of third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Oliver (No. 50, Rec. No. 4), entitled "An act making an appropriation for a deficiency in the appropriation for the current fiscal year for the Attorney-General," reported in favor of the passage of the same, with amendments, the title being amended to read as follows:

"An act making an appropriation for the Attorney-General," which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, JANUARY 28, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. R. H. Brooks.

The journal of Friday, January twenty-fifth, was read and approved.

Mr. Harte introduced a bill (Int. No. 236) entitled "An act

to provide for the payment of the claim of John M. Phillips, for work and material furnished the bureau of highways of the borough of Queens, the city of New York, during the year 1903," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Foelker introduced a bill (Int. No. 237) entitled "An act to amend chapter 9 of the general laws, known as the Executive Law, to provide for the filing by notaries public in the offices of registers of the several counties, of their signatures and certificates of their appointment," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 238) entitled "An act to amend chapter 365 of the Laws of 1894, entitled 'An act to provide for indexing and reindexing conveyances, mortgages and other instruments relating to lands and liens thereon in the county of Kings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 239) entitled "An act to amend section 58 of the charter of the city of New York, known as chapter 466 of the Laws of 1901, for the purpose of requiring commissioners of deeds of the city of New York to file their signatures in the offices of the registers of counties within said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarren introduced a bill (Int. No. 240) entitled "An act to amend the Code of Civil Procedure in reference to stenographers in the Supreme Court in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 241) entitled "An act to further amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,' as heretofore amended, in relation to the board of rapid transit railroad commissioners, in cities of the first class divided into boroughs," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill (Int. No. 242) entitled "An act to amend the Greater New York charter, relative to the powers of local board of improvements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gilchrist introduced a bill (Int. No. 243) entitled "An act to amend the Penal Code, in relation to weights stamped on packages containing articles of food," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Sohmer introduced a bill (Int. No. 244) entitled "An act relating to the admission and removal of patients in hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 245) entitled "An act to release to Giuseppe Barese all the right, title and interest of the people of the State of New York, in and to certain real estate, situate in the village of Ossining, county of Westchester and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Taylor introduced a bill (Int. No. 246) entitled "An act to amend the Tax Law, in relation to the distribution of the proceeds of the mortgage recording tax," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Cohalan introduced a bill (Int. No. 247) entitled "An act to amend the Greater New York charter, in relation to promotions in the police department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Taylor introduced a bill (Int. No. 248) entitled "An act authorizing the Superintendent of Public Works to improve and change the channel of the Wallkill river on the boundary line

between the towns of Goshen and Wawayanda in the county of Orange, New York, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Grattan introduced a bill (Int. No. 249) entitled "An act to amend section 4 of title 15 of chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' as amended by chapter 302 of the Laws of 1885, as amended by chapter 91 of the Laws of 1903, relative to the superintendent of the almshouse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Knapp introduced a bill (Int. No. 250) entitled "An act to amend chapter 670 of the laws of 1906, entitled 'An act to establish a new State prison in the eastern part of the State to take the place of Sing Sing prison; to authorize the Governor to appoint a commission to select and purchase a site,' in relation to such site and transfer of prisoners thereto, and making an additional appropriation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Ackroyd introduced a bill (Int. No. 251) entitled "An act to authorize the mayor of the city of Utica to appoint a commission to investigate plans for developing or acquiring a municipal water supply for said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cassidy introduced a bill (Int. No. 252) entitled "An act to authorize the improvement of the channel of the Chemung canal and the channel of Catharine creek from Seneca lake to and through the village of Montour Falls in the county of Schuyler, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Dunn introduced a concurrent resolution (Int. No. 253) in the words following:

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing an amendment to section 2 of article 12 of the Constitution, in relation to the classification of cities.

Whereas, The Legislature at its regular session in 1906, duly adopted a resolution, proposing an amendment to section 2 of article 12 of the Constitution in relation to the classification of cities; and

Whereas, Such resolution has been duly published in accordance with law and the Constitution, and referred to this Legislature for action; therefore:

Section 1. Resolved (if the Assembly concur), That section 2 of article 12 of the Constitution be amended to read as follows:

§ 2. All cities are classified according to the latest state enumeration as from time to time made, as follows: The first class includes all cities having a population of *one hundred and seventy-five thousand* [two hundred and fifty thousand] or more; the second class, all cities having a population of fifty thousand and less than *one hundred and seventy-five thousand*; [two hundred and fifty thousand;] the third class, all other cities. Laws relating to the property, affairs of government of cities and the several departments thereof, are divided into general and special city laws; general city laws are those which relate to all the cities of one or more classes; special city laws are those which relate to a single city, or to less than all the cities of a class. Special city laws shall not be passed except in conformity with the provisions of this section. After any bill for a special city law, relating to a city, has been passed by both branches of the legislature, the house in which it originated shall immediately transmit a certified copy thereof to the mayor of such city, and within fifteen days thereafter the mayor shall return such bill to the house from which it was sent, or if the session of the legislature at which such bill was passed has terminated, to the governor, with the mayor's certificate thereon, stating whether the city has or has not accepted the same. In every city of the first class, the mayor, and in every other city, the mayor and the legislative body thereof concurrently, shall act for such city as to such bill; but the legislature may provide for the concurrence of the legislative body in cities of the first class. The legislature shall provide for a public notice and opportunity for a public hearing concerning any such bill in every city to which it relates, before action thereon. Such a bill if it relates to more than one city, shall be transmitted to the mayor of each city to which it relates, and shall not be deemed accepted unless accepted as herein provided, by every such city. Whenever any such bill is accepted as herein provided, it shall be subject as are other bills, to the action of the

governor. Whenever, during the session at which it was passed, any such bill is returned without the acceptance of the city or cities to which it relates, or within such fifteen days is not returned, it may nevertheless again be passed by both branches of the legislature, and it shall then be subject as are other bills, to the action of the governor. In every special city law which has been accepted by the city or cities to which it relates, the title shall be followed by the words "accepted by the city," or "cities," as the case may be; in every such law which is passed without such acceptance, by the words "passed without the acceptance of the city," or "cities," as the case may be.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year 1907, in accordance with the provisions of the Election Law."

Which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hill introduced a bill (Int. No. 254) entitled "An act relating to the trustees of the Buffalo General Hospital," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, a bill (Int. No. 255) entitled "An act to amend the Code of Civil Procedure, in relation to the appointment of special deputy clerks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

The Assembly sent for concurrence the bill (No. 214, Rec. No. 6) entitled "An act to legalize and confirm the proceedings of William Heffer, sole trustee, and the legal voters of school district No. 3 of the town of Penfield, New York, relative to the levy of a tax payable in installments and the issuance and sale of certain school bonds of said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 215, Rec. No. 7) entitled "An act to amend chapter 29 of the Laws of 1902, entitled 'An act to make the

office of sheriff of Franklin county a salaried office, in part, and to regulate the management thereof,' in relation to jailer and turn-key." which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. O'Neil, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on internal affairs of towns and counties, retaining its place on the order of third reading.

Mr. Agnew, from the committee on engrossed bills, reported as correctly printed and engrossed the Senate bill (No. 163, Int. No. 159) entitled "An act to amend chapter 45 of the Laws of 1900, entitled 'An act to extend the time within which the Buffalo Southern Railway Company shall finish its road and put it in operation beyond its present construction and operation,' in relation to the time limitation."

Also, Senate bill (No. 107, Int. No. 16) entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' authorizing it to issue its bonds for the construction of sewers."

Also, Senate bill (No. 14, Int. No. 14) entitled "An act to amend section 1, chapter 151, Laws of 1861, entitled 'An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute.'"

Also, Senate bill (No. 145, Int. No. 142) entitled "An act to legalize the issuing of bonds of the town of Franklin, in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of defraying the expense of filling in and repairing a portion of the highway leading from Loon lake to Bloomingdale known as the 'Long Crossway' in said town, and to provide for the payment of the principal and interest thereof."

Also, Senate bill (No. 144, Int. No. 141) entitled "An act to confirm the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds the company assumed as a part of the purchase price of its said system of water-works."

The Senate bill (No. 14, Int. No. 14) entitled "An act to amend section 1, chapter 151, Laws of 1861, entitled 'An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Dunn | Grattan | McManus | Smith |
| Armstrong | Emerson | Harte | Mullaney | Sohmer |
| Boyce | Fancher | Hasenflug | O'Neil | Sullivan |
| Burr | Foelker | Hill | Owens | Taylor |
| Carpenter | Franchot | Hinman | Page | Thompson |
| Cassidy | Fuller | Hooker | Raines | Travis |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cullen | Gilchrist | McCarren | Saxe | Wilcox |
| Davis | Grady | | | |

42

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill (No. 61, Rec. No. 1) entitled "An act to legalize, confirm and validate certain conveyances made by trustees of the village of Ellenville, in the county of Ulster, and certain conveyances made to the trustees of the village of Ellenville, in the county of Ulster," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|------------|-----------|-----------|------------|----------|
| Ackroyd | Dunn | Grattan | McManus] | Smith |
| Armstrong | Emerson | Harte | Mullaney | Sohmer |
| Boyce | Fancher | Hasenflug | O'Neil | Sullivan |
| Burr | Foelker | Hill | Owens | Taylor |
| Carpenter] | Franchot | Hinman | Page | Thompson |
| Cassidy | Fuller | Hooker | Raines | Travis |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cullen | Gilchrist | McCarren | Saxe | Wilcox |
| Davis | Grady | | | |

42

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 145, Int. No. 142) entitled "An act to legalize the issuing of bonds of the town of Franklin, in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of defraying the expense of filling in and repairing a portion of the highway leading from Loon lake to Bloomingdale, known as the 'Long Crossway' in said town, and to provide for the payment of the principal and interest thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Dunn | Grattan | McManus | Smith |
| Armstrong | Emerson | Harte | Mullaney | Sohmer |
| Boyce | Fancher | Hasenflug | O'Neil | Sullivan |
| Burr | Foelker | Hill | Owens | Taylor |
| Carpenter | Franchot | Hinman | Page | Thompson |
| Cassidy | Fuller | Hooker | Raines | Travis |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cullen | Gilchrist | McCarren | Saxe | Wilcox |
| Davis | Grady | | | |

42

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate bill (No. 163, Int. No. 159) entitled "An act to amend chapter 45 of the Laws of 1900, entitled 'An act to extend the time within which the Buffalo Southern Railway Company shall finish its road and put it in operation beyond its present construction and operation,' in relation to the time limitation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Emerson | Grattan | McManus | Smith |
| Armstrong | Fancher | Harte | Mullaney | Solmer |
| Boyce | Foelker | Hasenflug | O'Neil | Sullivan |
| Carpenter | Franchot | Hill | Owens | Taylor |
| Cassidy | Fuller | Hinman | Page | Thompson |
| Cobb | Gates | Hooker | Raines | Travis |
| Cullen | Gilchrist | Knapp | Ramsperger | White |
| Davis | Grady | McCarren | Saxe | Wilcox |
| Dunn | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill (No. 100, Rec. No. 2) entitled "An act to legalize and validate certain bonds of the village of Scotia and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of a tax for the payment of the principal and interest thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Dunn | Grattan | McManus | Smith |
| Armstrong | Emerson | Harte | Mullaney | Solmer |
| Boyce | Fancher | Hasenflug | O'Neil | Sullivan |
| Burr | Foelker | Hill | Owens | Taylor |
| Carpenter | Franchot | Hinman | Page | Thompson |
| Cassidy | Fuller | Hooker | Raines | Travis |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cullen | Gilchrist | McCarren | Saxe | Wilcox |
| Davis | Grady | | | |

42

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 34, Rec. No. 5) entitled "An act to confirm the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water-works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds the village assumed as a part of the purchase price of its said system of water works," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Emerson | Grattan | McManus | Smith |
| Armstrong | Fancher | Harte | Mullaney | Sohmer |
| Boyce | Foelker | Hasenflug | O'Neil | Sullivan |
| Carpenter | Franchot | Hill | Owens | Taylor |
| Cassidy | Fuller | Hinman | Page | Thompson |
| Cobb | Gates | Hooker | Raines | Travis |
| Cullen | Gilchrist | Knapp | Ramsperger | White |
| Davis | Grady | McCarren | Saxe | Wilcox |
| Dunn | | | | |

41

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 107, Int. No. 16) entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' authorizing it to issue its bonds for the construction of sewers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Emerson | Grattan | McManus | Smith |
| Armstrong | Fancher | Harte | Mullaney | Sohmer |
| Boyce | Foelker | Hasenflug | O'Neil | Sullivan |
| Carpenter | Franchot | Hill | Owens | Taylor |
| Cassidy | Fuller | Hinman | Page | Thompson |
| Cobb | Gates | Hooker | Raines | Travis |
| Cullen | Gilchrist | Knapp | Ramsperger | White |
| Davis | Grady | McCarren | Saxe | Wilcox |
| Dunn | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate bill (No. 119, Int. No. 117) entitled "An act to validate, legalize and confirm all of the proceedings of the legal voters of school district No. 1, in the town of Ossining, Westchester county, New York, at the annual meeting thereof held

on the 7th of August 1906; adjourned annual meeting thereof held on the 11th of September, 1906; at the special election thereof held on the 13th of October, 1906, and the action of the board of education of said district, prior and subsequent thereto, relative to acquiring a school-house site and constructing a new school building therein, in said district, and the levying of a tax and the sale and issuance of certain bonds of said district," having been announced for a third reading,

Mr. Carpenter moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith amended as follows:

Page 7, line 6, strike out the word "of" and insert the word "or".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr Fuller moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 23, Int. No. 23) entitled "An act to amend the Greater New York charter, relative to the department of corrections, and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction," and that said bill be amended, reprinted, and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The following designations of persons entitled to admission to the floor of the Senate, as reporters for the public press, were made by the Clerk upon the certification of the Legislative Correspondents' Association:

| | | |
|---------------------------|------------------------|------------------|
| Charles N. Armitage..... | Buffalo News..... | 49 Steuben St. |
| Joseph D. Byrne..... | Publishers' Press..... | 133 N. Pearl St. |
| Frederick W. Crone..... | New York Tribune.... | 263 Elm St. |
| Clark W. Crannell..... | New York Mail.... | 9 Hall Place. |
| Joseph A. Fitzgerald..... | Associated Press.... | 14 Judson St. |
| John P. Gavit..... | Associated Press... | 8 Lafayette St. |

| | |
|--------------------------|---|
| George E. Griffin..... | Albany Argus....140 Wash. Ave. |
| Joseph O. Hammitt..... | Brooklyn Times....132 State St. |
| Lewis McH. Howe..... | New York Evening Telegram, 44 State St. |
| George H. Janvrin..... | Brooklyn Citizen.39 Columbia St. |
| Louis J. Lang..... | New York American..4 High St. |
| Joseph L. McEntee..... | New York Sun....132 State St. |
| Willard E. McHarg..... | N. Y. Evening Sun..689 Quail St. |
| John E. Nevins..... | Publishers' Press..Pub. Press, Cap. Box. |
| William H. Owen..... | Albany Journal and New York Herald61 State St. |
| Charles A. Prescott..... | Albany Press - Knickerbocker - Ex- press.....247 Elm St. |
| P. T. Rellihan..... | New York Press....132 State St. |
| Franz Richter..... | N. Y. Staats Zeitung.132 State St. |
| Louis Seibold..... | New York World....132 State St. |
| Frank H. Simonds..... | N. Y. Evening Post.1 Sprague Pl. |
| Louis S. Stern..... | New York Globe.18 Lancaster St. |
| David S. Taylor..... | Buffalo Courier & Inquirer, 51 Lancaster St. |
| W. Axel Warn..... | New York Times...132 State St. |
| Frank G. Whiston..... | Buffalo Express....132 State St. |
| George T. Wight..... | New York Herald...132 State St. |

The following designations of such persons were made by the Clerk upon satisfactory credentials filed with him:

| | |
|------------------------|--|
| James H. Callanan..... | Schenectady Union, Schenectady, N. Y. |
| James H. Potts..... | Troy Times.....Troy |
| Addison B. Parker..... | Watertown Daily Times. |

The President presented the report of the commission of Gas and Electricity, which was laid upon the table and ordered printed.

(See Document.)

The President presented the report of the Trustees of the Tuberculosis Hospital at Ray Brook, which was laid upon the table and ordered printed.

(See Document.)

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, JANUARY 29, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. H. H. Murdock.

The journal of yesterday was read and approved.

Mr. Cullen introduced a bill (Int. No. 256) entitled "An act to amend section 1 of chapter 438 of the Laws of 1897, in relation to the office of the district attorney of the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Saxe introduced a bill (Int. No. 257) entitled "An act to amend section 202 of the Tax Law, to relieve local assessors from the duty of assessing property of trust companies which is not locally taxable," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on taxation and retrenchment, retaining its place on the order of third reading.

Mr. Page introduced a bill (Int. No. 258) entitled "An act to release to Charles W. Dayton all the right, title and interest of the people of the State of New York in and to certain real estate in the town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture upon the death of Charles Scola," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Page, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, a bill (Int. No. 259) entitled "An act to amend the Consolidated School Law, by abolishing the office of school commissioner, creating the office of district superintendent of schools and prescribing the powers, duties and responsibilities of such superintendent," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Carpenter introduced a bill (Int. No. 260) entitled "An act to amend the Highway Law, in relation to exempting Westchester and Suffolk counties from the poll tax," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Wemple introduced a bill (Int. No. 261) entitled "An act to amend the village law, relation to street improvement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 262) entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to the boundaries of the several wards of the city of Schenectady and to increasing the number thereof and defining the boundaries thereof, and election of ward officers and appointing of election officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, N. Y.," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Also, a bill (Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, N. Y.," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Mr. Emerson introduced a bill (Int. No. 265) entitled "An act providing for the construction of a steel bridge over the Bowmans creek on State lands adjacent to the Erie canal aqueduct No. 10,

TUESDAY, JANUARY 29, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. H. H. Murdock.

The journal of yesterday was read and approved.

Mr. Cullen introduced a bill (Int. No. 256) entitled "An act to amend section 1 of chapter 438 of the Laws of 1897, in relation to the office of the district attorney of the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Saxe introduced a bill (Int. No. 257) entitled "An act to amend section 202 of the Tax Law, to relieve local assessors from the duty of assessing property of trust companies which is not locally taxable," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on taxation and retrenchment, retaining its place on the order of third reading.

Mr. Page introduced a bill (Int. No. 258) entitled "An act to release to Charles W. Dayton all the right, title and interest of the people of the State of New York in and to certain real estate in the town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture upon the death of Charles Scola," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Page, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, a bill (Int. No. 259) entitled "An act to amend the Consolidated School Law, by abolishing the office of school commissioner, creating the office of district superintendent of schools and prescribing the powers, duties and responsibilities of such superintendent," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Carpenter introduced a bill (Int. No. 260) entitled "An act to amend the Highway Law, in relation to exempting Westchester and Suffolk counties from the poll tax," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Wemple introduced a bill (Int. No. 261) entitled "An act to amend the village law, relation to street improvement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 262) entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to the boundaries of the several wards of the city of Schenectady and to increasing the number thereof and defining the boundaries thereof, and election of ward officers and appointing of election officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, N. Y.," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Also, a bill (Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, N. Y.," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Mr. Emerson introduced a bill (Int. No. 265) entitled "An act providing for the construction of a steel bridge over the Bowmans creek on State lands adjacent to the Erie canal aqueduct No. 10,

in the town of Canajoharie, Montgomery county, and the necessary repairs to the existing abutments and approaches thereto, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Heacock introduced a bill (Int. No. 266) entitled "An act to amend chapter 266 of the Laws of 1903, entitled 'An act to providing for the holding of town meetings and elections in counties of the State having a certain population,' as amended by chapter 574 of the Laws of 1904, chapter 260 of the Laws of 1905, and also by chapter 156 of the Laws of 1906, relating to the salaries and compensation of supervisors, meetings of town boards and accounting of town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Cobb introduced a bill (Int. No. 267) entitled "An act to amend an act entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' in relation to selling and shipping milk and cream," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, a bill (Int. No. 268) entitled "An act to amend an act entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' in relation to cream," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Ramsperger introduced a bill (Int. No. 269) entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' relative to grand jury stenographers of Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Foelker introduced a bill (Int. No. 270) entitled "An act to amend the General City Law, in relation to plumbers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 271) entitled "An act relating to the Brooklyn college, authorizing and empowering educational institutions in the city of New York to consolidate with, merge in or enter into contracts with the Brooklyn college, and authorizing and empowering the city of New York to establish and maintain said college," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Senate (No. 65, Int. No. 65), entitled "An act to amend chapter 242 of the Laws of 1906, entitled 'An act to revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' in relation to the terms of office of the trustees of the village of Ossining, and the election to be held in said village on the second Tuesday of March, 1907."

Senate (No. 100, Int. No. 100), entitled "An act to amend chapter 185 of the Laws of 1906, entitled 'An act to revise the charter of the city of Auburn.'"

Senate (No. 54, Int. No. 54), entitled "An act to repeal section 80-a of the Forest, Fish and Game Law, in relation to fishing for nongame fish in Cayuga lake and tributary streams."

Senate (No. 141, Int. No. 138), entitled "An act to change the name of the Methodist Episcopal Church in the city of Schenectady to the First Methodist Episcopal Church of the city of Schenectady, N. Y."

After some time spent therein, the President resumed the chair, and Mr. Armstrong, from said committee, reported in favor of the passage of the above-named bills, the second with amendments, which report was agreed to, and said bills ordered to a third reading.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

[SENATE JOURNAL.] 15

WEDNESDAY, JANUARY 30, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. H. P. Le F. Grabau.

The journal of yesterday was read and approved.

Mr. Harte introduced a bill (Int. No. 272) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit, and allow the claims of James T. Ellett and Frank Miller, for compensation for services rendered as secretary and watchman, respectively, to the Richmond county park commissioners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Foelker introduced a bill (Int. No. 273) entitled "An act to provide for repairs, improvements and betterments to the State armory in the borough of Brooklyn in the city of New York occupied by the Forty-seventh Regiment, National Guard, State of New York, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Travis introduced a bill (Int. No. 274) entitled "An act to amend chapter 366 of the Laws of 1878, entitled 'An act to incorporate the Brooklyn Church Society of the Methodist Episcopal Church,' in relation to the objects of the society, and the qualification and election of its managers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McCall introduced a bill (Int. No. 275) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Michael O'Keefe against the State of New York for damages alleged to have been sustained while in the employ of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 276) entitled "An act to amend the Greater New York charter by enacting a new section, to be known as section 823-f, relative to the acquirement of certain waterfront

property between West Thirty-fourth street and West Fiftieth street, on the North river, borough of Manhattan, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Saxe introduced a bill (Int. No. 277) entitled "An act to amend the primary election law in relation to the right to vote of electors who have moved within the election district in which they enrolled," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Page introduced a bill (Int. No. 278) entitled "An act to amend the Greater New York charter, as re-enacted by chapter 466 of the Laws of 1901, relative to the police department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 279) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon' in relation to official newspapers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 280) entitled "An act to incorporate young people's missionary movement of the United States and Canada," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wemple introduced a bill (Int. No. 281) entitled "An act to amend the Military Code in relation to the expense of constructing, equipping and maintaining armories, and repealing certain sections thereof relating to armories," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on military affairs.

Mr. O'Neil introduced a bill (Int. No. 282) entitled "An act to amend chapter 127 of the Laws of 1866, entitled 'An act relative to the collection of taxes in the town of Oswegatchie, in the county of St. Lawrence,' in relation to the manner of collecting

such taxes," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. O'Neil, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on internal affairs of towns and counties, retaining its place on the order of third reading.

Mr. Tully introduced a bill (Int. No. 283) entitled "An act to amend the Tax Law, relative to a seal for the State Board of Tax Commissioners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 284) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Robert F. Park against the State for damages alleged to have been sustained by him and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence the bill (No. 207, Rec. No. 8) entitled "An act to change the name of the Methodist Church in the city of Schenectady, to the First Methodist Episcopal Church of the City of Schenectady, N. Y.," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, said bill was substituted for Senate bill (No. 141, Int. No. 138), now on the order of third reading.

Also, the bill (No. 136, Rec. No. 9) entitled "An act to legalize and validate certain sewer bonds of the village of Seneca Falls and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of a tax for the payment of the principal and interest thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wilcox, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, the bill (No. 233, Rec. No. 10) entitled "An act to legalize the action of the board of supervisors of St. Lawrence county in dividing the town of Canton into town meeting districts and providing for the conducting of town meetings therein," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. O'Neil, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, the bill (No. 44, Rec. No. 11) entitled "An act to legalize the proceedings of a meeting of the voters of union free school district No. 6, towns of Perry and Castile, county of Wyoming, and to authorize the board of education of said district to issue bonds to the amount of \$50,000," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hooker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill, introduced by Mr. Cobb (No. 246, Int. No. 235), entitled "An act to amend the Code of Civil Procedure, relative to fees of grand and trial jurors in certain counties," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole:

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Grady (No. 185, Int. No. 178), entitled "An act to amend subdivision 4 of section 1103 of the Code of Civil Procedure as to the minutes of the drawings of jurors and the custody thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Wemple (No. 68, Int. No. 68), entitled "An act to provide for the election of a village president of the village of Saratoga Springs by the

electors thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Agnew (No. 37, Int. No. 37), entitled "An act to amend the Code of Civil Procedure, in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxe (No. 196, Int. No. 189), entitled "An act to amend section 484 of the Code of Civil Procedure, in relation to joining in the same complaint causes of action for penalties incurred for violations of the Public Health Law," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Armstrong (No. 238, Int. No. 229), entitled "An act making an appropriation for expenses of the Senate and Assembly," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 225, Int. No. 99), entitled "An act to amend section 5 of an act to amend chapter 10 of the Laws of 1859, entitled 'An act to amend the act entitled "An act to revise, amend and consolidate the several acts relating to the village of Whitesboro,"' passed June 14, 1884, relative to new fire house in said village," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ackroyd, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Wemple

(No. 71, Int. No. 71), entitled "An act to create the office of village comptroller of the village of Saratoga Springs, and defining his powers and duties, and to abolish the present office of village comptroller of said village," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Davis (No. 104, Int. No. 104), entitled "An act to validate and authorize certain improvement bonds of the village of Kenmore, Erie county, N. Y., validating proceedings heretofore taken for the issuance and sale thereof and providing for the delivery or resale thereof, and for the levy of a tax for the payment of the principal and interest thereof," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Saxe (No. 3, Int. No. 3), entitled "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions of the city of New York with water and remitting assessments therefor,' and the acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Saxe (No. 89, Int. No. 89), entitled "An act to amend the Greater New York charter by providing for an appropriation for the repair and for the maintenance of the soldiers' and sailors' monument in the borough of Manhattan," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Tully (No. 55, Int. No. 55), entitled "An act to amend section 258 of the Code of Civil Pro-

cedure, relating to the appointment of stenographers for the Supreme Court so as to permit the appointment of one additional stenographer in the seventh judicial district," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to amend section 258 of the Code of Civil Procedure, relating to the appointment of stenographers for the Supreme Court so as to permit the appointment of one additional stenographer in the seventh and eighth judicial districts," which report was agreed to.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Foelker (No. 228, Int. No. 219), entitled "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water, and remitting assessments therefor,' relative to Young Men's Christian Associations," reported the same to the Senate with amendments, the title being amended to read as follows: "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water, and remitting assessments therefor,' relative to Young Men's Christian Associations and religious corporations."

On motion of Mr. White, and by unanimous consent, it was ordered that said bill be printed and recommitted to the said committee.

Mr. Agnew, from the committee on engrossed bills, reported as correctly printed and engrossed the Senate bill (No. 54, Int. No. 54) entitled "An act to repeal section 80-a of the Forest, Fish and Game Law, in relation to fishing for nongame fish in Cayuga lake and tributary streams."

Also, Senate bill (No. 65, Int. No. 65) entitled "An act to amend chapter 242 of the Laws of 1906, entitled 'An act to revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' in relation to the terms of office of the trustees of the village of Ossining, and the election to be held in said village on the second Tuesday of March, 1907."

Also, Senate bill (No. 141, Int. No. 138) entitled "An act to change the name of the Methodist Episcopal Church in the city of Schenectady to the First Methodist Episcopal Church of the City of Schenectady, N. Y."

Also, Assembly bill (No. 50, Senate reprint, No. 245, Rec. No. 4) entitled "An act making an appropriation for the Attorney-General."

Also, Senate bill (No. 38, Int. No. 229) entitled "An act making an appropriation for expenses of the Senate and Assembly."

The Senate bill (No. 54, Int. No. 54) entitled "An act to repeal section 80-a of the Forest, Fish and Game Law, in relation to fishing for nongame fish in Cayuga lake and tributary streams," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | Knapp | Saxe |
| Agnew | Davis | Grady | McCall | Sohmer |
| Allds | Dunn | Grattan | McCarren | Taylor |
| Armstrong | Fancher | Harte | McManus | Thompson |
| Boyce | Foelker | Hasenflug | O'Neil | Travis |
| Burr | Franchot | Heacock | Owens | Tully |
| Carpenter | Frawley | Hill | Page | Wemple |
| Cassidy | Fuller | Hinman | Raines | White |
| Cobb | Gates | Hooker | Ramsperger | Wilcox |
| Cordta | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill (No. 207, Rec. No. 8) entitled "An act to change the name of the Methodist Episcopal Church in the city of Schenectady to the First Methodist Episcopal Church of the City of Schenectady, N. Y.," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | Knapp | Saxe |
| Agnew | Davis | Grady | McCall | Sohmer |
| Allds | Dunn | Grattan | McCarren | Taylor |
| Armstrong | Fancher | Harte | McManus | Thompson |
| Boyce | Foelker | Hasenflug | O'Neil | Travis |
| Burr | Franchot | Heacock | Owens | Tully |
| Carpenter | Frawley | Hill | Page | Wemple |
| Cassidy | Fuller | Hinman | Raines | White |
| Cobb | Gates | Hooker | Ramsperger | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 238, Int. No. 229) entitled "An act making an appropriation for expenses of the Senate and Assembly," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | Knapp | Saxe |
| Agnew | Davis | Grady | McCall | Sohmer |
| Allds | Dunn | Grattan | McCarren | Taylor |
| Armstrong | Fancher | Harte | McManus | Thompson |
| Boyce | Foelker | Hasenflug | O'Neil | Travis |
| Burr | Franchot | Heacock | Owens | Tully |
| Carpenter | Frawley | Hill | Page | Wemple |
| Cassidy | Fuller | Hinman | Raines | White |
| Cobb | Gates | Hooker | Ramsperger | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate bill (No. 65, Int. No. 65) entitled "An act to amend chapter 242 of the Laws of 1906, entitled 'An act to revise and

consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' in relation to the terms of office of the trustees of the village of Ossining, and the election to be held in said village on the second Tuesday of March, 1907," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | Knapp | Saxe |
| Agnew | Davis | Grady | McCall | Sohmer |
| Allds | Dunn | Grattan | McCarren | Taylor |
| Armstrong | Fancher | Harte | McManus | Thompson |
| Boyce | Foelker | Hasenflug | O'Neil | Travis |
| Burr | Franchot | Heacock | Owens | Tully |
| Carpenter | Frawley | Hill | Page | Wemple |
| Cassidy | Fuller | Hinman | Raines | White |
| Cobb | Gates | Hooker | Ramsperger | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill (No. 50, Senate reprint, No. 245, Rec. No. 4) entitled "An act making an appropriation for the Attorney-General," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | Knapp | Saxe |
| Agnew | Davis | Grady | McCall | Sohmer |
| Allds | Dunn | Grattan | McCarren | Taylor |
| Armstrong | Fancher | Harte | McManus | Thompson |
| Boyce | Foelker | Hasenflug | O'Neil | Travis |
| Burr | Franchot | Heacock | Owens | Tully |
| Carpenter | Frawley | Hill | Page | Wemple |
| Cassidy | Fuller | Hinman | Raines | White |
| Cordts | Gates | Hooker | Ramsperger | Wilcox |

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Upon request of Mr. Grady and by unanimous consent it was ordered that the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

Mr. McCall moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 171, Int. No. 165) entitled "An act to amend chapter 466 of the Laws of 1901 (the Greater New York charter), by providing for the licensing of theatre ticket brokers and the regulation of the theatre brokerage business," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Saxe moved that the committee on finance be discharged from the consideration of Senate bill (No. 183, Int. No. 111), entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the First Department,' relative to the appointment of a confidential clerk," and that said bill be amended, reprinted and recommitted to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Harte moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 243, Int. No. 234) entitled "An act to provide for the payment of the claim of Robert E. Jones for furnishing work, labor, services and material in the repair of the fire alarm system in the fifth ward of the borough of Queens in the city of New York," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis moved that the committee of the whole be discharged from the consideration of Senate bill (No. 36, Int. No. 36) entitled "An act to incorporate the Public Health Defense League," and that said bill be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, JANUARY 31, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. W. E. Marden.

The journal of yesterday was read and approved.

Mr. Gilchrist introduced a bill (Int. No. 285) entitled "An act to rehear charges against Charles Weigert, a fireman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sohmer introduced a bill (Int. No. 286) entitled "An act to amend the Penal Code, relative to punishment for arson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 287) entitled "An act relating to the furnishing of uniforms to employees of cities of the first and second class," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hill introduced a bill (Int. No. 288) entitled "An act to amend section 523 of the Code of Criminal Procedure, relative to service of notice of appeal when judgment is of death," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on codes, retaining its place on the order of third reading.

Also, a bill (Int. No. 289) entitled "An act to transfer a part of Niagara street in the city of Buffalo to the control and jurisdiction of the board of park commissioners of said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Also, a concurrent resolution (Int. No. 290) entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section 27 of article 3 of the Constitution, in relation to the legislative powers of the board of supervisors."

Section 1. Resolved (if the Assembly concur), That section 27 of article 3 of the Constitution be amended to read as follows:

ARTICLE III.

§ 27. The legislature shall by general laws, confer upon the boards of supervisors of the several counties of the state such further powers of local legislation and administration as the legislature may, from time to time, deem expedient. In counties now having, or which may hereafter have, county auditors or other fiscal officers, authorized to audit bills, accounts, charges, claims or demands against the county, the legislature may provide by law, that every resolution, adopted by the board of supervisors of any such county, authorizing the payment of any such bill, account, charge, claim or demand, before it be valid, shall be presented to such county auditor, or other fiscal officer, and if he approve, he shall sign it; but if not, he shall return it with his objections to the board of supervisors, which shall enter the objections at large on its journal and proceed to reconsider it. If after such reconsideration two-thirds of the members elected shall readopt such resolution, it shall thereupon be valid, notwithstanding the objections of the auditor, or other fiscal officer. In all such cases, the votes shall be determined by yeas and nays, and the names of the members voting shall be entered on the journal. If any such resolution be not returned by the auditor or other fiscal officer in ten days (Sundays excepted) after it shall have been presented to him, the same shall be valid in like manner as if he had signed it, unless the board of supervisors, by their adjournment, prevent its return, in which case it shall not become valid without the signature of such auditor, or other fiscal officer, within twenty days after such adjournment.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of senators, and in conformity with section 1, article 14 of the Constitution, be published for three months previous to the time of such election.

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fuller (on behalf of Mr. Owens) introduced a bill (Int. No. 291) entitled "An act to amend chapter 718 of the Laws of 1904, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for boys, and establishing the said school,' as amended by chapter 133 of the Laws of 1905 and by chapter 617 of the Laws of 1906, in relation to the grant by the commissioners of the land office to the city of New York of the sunken meadow in East river adjacent to Randall's island, and of the land under water surrounding the same to the bulkhead line, and the time of making report," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Page introduced a bill (Int. No. 292) entitled "An act to amend the Transportation Corporations Law, chapter 40 of the general laws, by adding a new section," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

The Assembly sent for concurrence the bill (No. 355, Rec. No. 12) entitled "An act to incorporate the trustees of the fund for the families of deceased clergymen of the Protestant Episcopal Church in the diocese of Long Island," which was read the first time, and by unanimous consent was also read the second time:

On motion of Mr. Gilchrist, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, the bill (No. 356, Rec. No. 13) entitled "An act to incorporate the trustees of the clergymen's pension and retirement fund of the Protestant Episcopal Church in the diocese of Long Island," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Gilchrist, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, the bill (No. 357, Rec. No. 14) entitled "An act to validate and authorize certain improvement bonds of the village of Kenmore, Erie county, N. Y., validating proceedings heretofore taken for the issuance and sale thereof and providing for the delivery or resale thereof, and for the levy of a tax for the payment of the principal and interest thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 35, Rec. No. 15) entitled "An act legalizing certain proceedings of the board of assessors of the city of Elmira in making and returning the assessment roll for the year 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 52, Int. No. 52), entitled "An act to amend chapter 321 of the Laws of 1898, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the compensation of 'under sheriff and counsel,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ackroyd, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Franchot (No. 239, Int. No. 230), entitled "An act to amend chapter 294 of the Laws of 1904, entitled 'An act to make the office of sheriff of Orleans county a salaried one, in part, and to regulate the management thereof,' in relation to salary of under sheriff," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Heacock (No. 234; Int. No. 235), entitled "An act to amend chapter 319 of the Laws of 1903, entitled 'An act to make the office of sheriff of Herkimer county a salaried office and to regulate the management of said office,' relative to fees of deputy sheriffs," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Heacock, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 188, Int. No. 181), entitled "An act to permit the electors of the towns of Vernon and New Hartford, in the county of Oneida, to vote upon the proposition to make the charge of 15 per cent. of cost of roads already improved in said towns under chapter 115 of Laws of 1898, a town charge instead of a charge upon abutting owners," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ackroyd, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Wilcox (No. 15, Int. No. 15), entitled "An act to amend section 7 of chapter 93 of the Laws of 1906, entitled 'An act to make the office of county clerk of Cayuga county a salaried office and regulating the management of said office,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Taylor (No. 157, Int. No. 153), entitled "An act to amend chapter 213 of the Laws of 1904, entitled 'An act to make the office of county clerk of Orange county a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to the fees of such clerk," reported in favor of the passage of the same with amendments, which re-

port was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Matthews (No. 215, Rec. No. 7), entitled "An act to amend chapter 29 of the Laws of 1902, entitled 'An act to make the office of sheriff of Franklin county a salaried office, in part, and to regulate the management thereof,' in relation to jailer and turn-key," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Fuller (No. 63, Int. No. 63), entitled "An act to amend the Membership Corporations Law, relating to the incorporation of boards of trade," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Harte (No. 60, Int. No. 60), entitled "An act to release to Cora Fehling all the right, title and interest of the people of the State of New York in and to certain real estate situated in the second ward of the borough of Queens, county of Queens, the city and State of New York, acquired by escheat upon the death of Martin N. Connolly," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Heacock (No. 177, Int. No. 171), entitled "An act to legalize the proceedings of the board of trustees of the village of Cobleskill, Schoharie county, in submitting to the voters of said village at its annual election held December 3, 1906, a proposition to borrow money and issue bonds for the taking and acquiring title to the real estate in said village known as the 'Wood property,' and such other real estate lying near the same as may be deemed necessary for the establishment of a public park, and legalizing the vote on said proposition and all proceedings of said board of trustees had thereunder, and to provide for the payment of the principal and interest of

said bonds issued or to be issued thereunder," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Harper (No. 136, Rec. No. 9), entitled "An act to legalize and validate certain sewer bonds of the village of Seneca Falls, and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of a tax for the payment of the principal and interest thereof," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Nevins (No. 44, Rec. No. 11), entitled "An act to legalize the proceedings of a meeting of the voters of union free school district No. 6, towns of Perry and Castile, county of Wyoming, and to authorize the board of education of said district to issue bonds to the amount of \$50,000," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Harris (No. 214, Rec. No. 6), entitled "An act to legalize and confirm the proceedings of William Heffer, sole trustee, and the legal voters of school district No. 3, of the town of Penfield, N. Y., relative to the levy of a tax payable in installments and the issuance and sale of certain bonds of said district," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Merritt (No. 233, Rec. No. 10), entitled "An act to legalize the action of the board of supervisors of St. Lawrence county in dividing the town of Canton into town meeting districts and providing for the conducting of town meetings therein," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hill (No. 266, Int. No. 254), entitled "An act relating to the trustees of the Buffalo General Hospital," reported in favor of the passage of the same with amendments, the title being amended to read as follows:

"An act to amend chapter four hundred sixty-nine of the laws of eighteen hundred and seventy-five, entitled 'An act to enable the Buffalo general hospital to change the number of its trustees,' in relation to its trustees."

which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Cobb (No. 50, Int. No. 50), entitled "An act validating and legalizing certain conveyances of real estate to the village of Turin, Lewis county, N. Y., for the purpose of its water supply," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Page (No. 10, Int. No. 10), entitled "An act to amend the Labor Law, relative to the hours of employment of minors in factories," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Allds, from the committee on taxation and retrenchment, offered a resolution in the words:

Resolved (if the Assembly concur), That the public printer be instructed to print 7,000 additional copies of Senate document No. 11, named 'The Report to the Legislature of the Tax Commission' of which number 500 copies shall be for the use of the members of the commission, and there shall be delivered to the Clerk of the Senate, 2650 copies, and to the Clerk of the Assembly 3850 copies, and that out of the whole number 50 copies shall be bound in cloth."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|---------|------------|----------|
| Ackroyd | Cordts | Fuller | Hooker | Taylor |
| Allds | Cullen | Gates | Knapp | Thompson |
| Armstrong | Emerson | Harte | Mullaney | Travis |
| Boyce | Foelker | Heacock | O'Neil | Wemple |
| Carpenter | Franchot | Hill | Ramsperger | 24 |

FOR THE NEGATIVE.

| | | | | | |
|-------|---------|-----------|--------|--------|---|
| Agnew | Cassidy | Gilchrist | Hinman | McCall | 5 |
|-------|---------|-----------|--------|--------|---|

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Hill moved that the committee on forest, fish and game laws be discharged from the consideration of Senate bill (No. 162, Int. No. 158) entitled "An act to amend the Forest, Fish and Game Law, relating to wild fowl on Niagara river and in Erie and Niagara counties," and that said bill be amended, reprinted and recommitted to the committee on forest, fish and game laws.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ramsperger moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 282, Int. No. 269) entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' relative to grand jury stenographers of Erie county," and that said bill be referred to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Page offered a resolution in the words following:

Resolved, That 500 extra copies of the bill (No. 154, Int. No. 150) entitled "An act to regulate the practice of medicine, and to repeal article eight of chapter six hundred and sixty-one of the laws of eighteen hundred and ninety-three, and acts amendatory thereof," be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That there be printed 9,000 additional copies of Senate document number 11, constituting the report of the Special Tax Commission, for use of the Legislature, the Commission and the State Library as follows: 3500 copies for the use of the Senate, to be distributed 50 copies to each members of the Senate and 950 copies to the Clerk; 5,000 copies for the use of the Assembly, to be distributed 25 copies to each member of the Assembly, and 1250 copies to the Clerk; 250 copies for the use of the State Library, 250 of said copies shall be bound in cloth or buckram, the balance in paper.

By order of the Assembly,

A. E. BAXTER, *Clerk*.

Ordered, That said resolution be referred to the committee on finance.

The President presented the report of the board of managers of the Thomas Indian School at Iroquois, which was laid upon the table and ordered printed.

(See Document.)

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, FEBRUARY 1, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. A. C. Youmans.

The journal of yesterday was read and approved.

Mr. Agnew, from the committee on engrossed bills, reported as correctly printed and engrossed the Senate bill (No. 225, Int. No. 99) entitled "An act to amend section 5 of an act to amend chapter 10 of the Laws of 1859, entitled 'An act to amend the act entitled "An act to revise, amend and consolidate the several acts relating to the village of Whitesboro,"' passed June 14, 1884, relative to new fire house in said village."

Also, Senate bill (No. 37, Int. No. 37) entitled "An act to

amend the Code of Civil Procedure in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard."

Also, Senate bill (No. 268, Int. No. 117) entitled "An act to validate, legalize and confirm all of the proceedings of the legal voters of school district No. 1, in the town of Ossining, Westchester county, N. Y., at the annual meeting thereof held on the 7th of August, 1906; adjourned annual meeting thereof held on the 11th of September, 1906; at the special election thereof held on the 13th of October, 1906, and the action of the board of education of said district, prior and subsequent thereto, relative to acquiring a schoolhouse site and constructing a new school building therein, in said district, and the levying of a tax and the sale and issuance of certain bonds of said district."

The President presented the report of the Department of Excise, which was laid upon the table and ordered printed.

(See Document.)

The Assembly returned the Senate bill (No. 65, Int. No. 65) entitled "An act to amend chapter 242 of the Laws of 1906, entitled 'An act to revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' in relation to the terms of office of the trustees of the village of Ossining, and the election to be held in said village on the second Tuesday of March, 1907."

Also, the Senate bill (No. 163, Int. No. 159) entitled "An act to amend chapter 45 of the Laws of 1900, entitled 'An act to extend the time within which the Buffalo Southern Railway Company shall finish its road and put it in operation beyond its present construction and operation,' in relation to the time limitation," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence a resolution in the words following:

Whereas, We have learned with profound sorrow of the death in Brooklyn, on Thursday, January 1, 1907, of the Hon. William J. Donahue, member of Assembly from the Fourteenth Assembly District of the county of Kings; and,

Whereas, The people of the State of New York in his death have been deprived of the services of a conscientious and faithful representative and we, his associates, of a generous friend; therefore be it

Resolved, That we express our deep sense of the loss sustained by the people of the State of New York in the death of the Hon. William J. Donahue, and that we convey to the family of the deceased our sympathy in their bereavement; and be it further

Resolved (if the Senate concur), That a committee to consist of seven members of the Senate be appointed by the President of the Senate and ten members of the Assembly be appointed by the Speaker of the Assembly to represent the Legislature at the funeral of the deceased and that said committee be attended by the Sergeants-at-Arms of the Senate and Assembly; and be it further

Resolved, That this resolution be spread upon the journals of the Senate and Assembly, and that a copy thereof, suitably engrossed, be transmitted to the family of the deceased.

Mr. Raines moved that said resolution be adopted.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The President appointed as such committee on behalf of the Senate, Messrs. McCarren, Foelker, Cullen, Gilchrist, Hasenflug, Agnew and Thompson.

The Speaker appointed as such committee, on the part of the Assembly, Messrs. Farrell, Donnelly, Mooney, Feth, Geoghagan, C. F. Murphy, Collins, Dowling, Baumann and Ralston.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, FEBRUARY 4, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. H. N. Dunning.

The journal of yesterday was read and approved.

Mr. Harte introduced a bill (Int. No. 293) entitled "An act to amend the Code of Civil Procedure, in relation to the qualifications of trial jurors in Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 294) entitled "An act to amend the Code of Civil Procedure, relative to drawing of trial jurors in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 295) entitled "An act to amend chapter 125 of the Laws of 1906, entitled 'An act in relation to illuminating gas in the city of New York and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation,' in relation to the price of illuminating gas in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

Mr. Travis introduced a bill (Int. No. 296) entitled "An act to amend the Greater New York charter, in relation to compensation of laborers in the department of parks, and appropriations therefor, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill (Int. No. 297) entitled "An act to amend the Greater New York charter, relative to the powers of the president of a borough with regard to the acceptance of a dedication of highway easements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 298) entitled "An act to amend the Code

read the second time, and referred to the committee on the judiciary.

Mr. O'Neil introduced a concurrent resolution (Int. No. 308) in the words following:

Concurrent resolution of the Senate and Assembly, proposing an amendment to section 7 of article 7 of the Constitution, relative to the construction of dams and the storage of waters in the forest preserve for public purposes.

Section 1. Resolved (if the assembly concur), That section seven of article seven of the constitution be amended to read as follows:

§ 7. The lands of the state now owned or hereafter acquired, constituting the forest preserve, as now fixed by law, excepting such lands as the legislature shall provide by law shall necessarily be used for the storage of water for public purposes and the construction of dams therefor, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed.

§ 2. Resolved (if the assembly concur), That the foregoing amendment be submitted to the people for approval at the next general election, in accordance with the provisions of the election law."

which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

Mr. Wilcox introduced a bill (Int. No. 309) entitled "An act to amend the Railroad Law, in relation to the inspection of locomotive boilers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Hill (by request) introduced a bill (Int. No. 310) entitled "An act to amend chapter 341 of the Laws of 1906, entitled 'An act to amend chapter 173 of the Laws of 1895, entitled "An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions, and officers of the county of Erie, relative to the office of the county auditor," and the acts amendatory thereof and supplemental thereto, in relation to the powers and duties of the county auditor,' relating to the duties and compensation of the county auditor and the purchase of supplies for said county of Erie," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 311) entitled "An act to amend the certificate of incorporation of the Masonic Life Association, a domestic insurance corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Burr introduced a bill (Int. No. 312) entitled "An act to amend the Insanity Law, in relation to hospital attorneys," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Raines introduced a bill (Int. No. 313) entitled "An act to provide further buildings and other facilities at the New York agricultural experiment station, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly sent for concurrence the bill (No. 201, Rec. No. 16) entitled "An act for the relief of the Brooklyn Young Men's Christian Association," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Travis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, the bill (No. 165, Rec. No. 17) entitled "An act to legalize and confirm the organization and existence of union free school district No. 3 of the towns of Greenwich and Easton, and to legalize and confirm the proceedings of the board of education and legal voters of such union free school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Knapp, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Agnew, from the committee on engrossed bills, reported as

correctly printed and engrossed the Senate bill (No. 52, Int. No. 52) entitled "An act to amend chapter 321 of the Laws of 1898, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the compensation of under sheriff and counsel."

Also, Senate bill (No. 188, Int. No. 181) entitled "An act to permit the electors of the towns of Vernon and New Hartford, in the county of Oneida, to vote upon the proposition to make the charge of 15 per centum of cost of roads already improved in said towns, under chapter 115 of the Laws of 1898, a town charge instead of a charge upon abutting owners."

Also, Senate bill (No. 234, Int. No. 225) entitled "An act to amend chapter 319 of the Laws of 1903, entitled 'An act to make the office of sheriff of Herkimer a salaried office and to regulate the management of said office,' relative to fees of deputy sheriffs."

Also, Senate bill (No. 239, Int. No. 230) entitled "An act to amend chapter 294 of the Laws of 1904, entitled 'An act to make the office of sheriff of Orleans county a salaried one, in part, and to regulate the management thereof,' in relation to salary of under sheriff."

The Senate bill (No. 225, Int. No. 99) entitled "An act to amend section 5 of an act to amend chapter 10 of the Laws of 1859, entitled 'An act to amend the act entitled "An act to revise, amend and consolidate the several acts relating to the village of Whitesboro,"' passed June 14, 1884, relative to new fire house in said village," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wilcox |

read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 311) entitled "An act to amend the certificate of incorporation of the Masonic Life Association, a domestic insurance corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Burr introduced a bill (Int. No. 312) entitled "An act to amend the Insanity Law, in relation to hospital attorneys," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Raines introduced a bill (Int. No. 313) entitled "An act to provide further buildings and other facilities at the New York agricultural experiment station, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly sent for concurrence the bill (No. 201, Rec. No. 16) entitled "An act for the relief of the Brooklyn Young Men's Christian Association," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Travis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, the bill (No. 165, Rec. No. 17) entitled "An act to legalize and confirm the organization and existence of union free school district No. 3 of the towns of Greenwich and Easton, and to legalize and confirm the proceedings of the board of education and legal voters of such union free school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Knapp, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Agnew, from the committee on engrossed bills, reported as

The Assembly bill (No. 215, Rec. No. 7) entitled "An act to amend chapter 29 of the Laws of 1902, entitled 'An act to make the office of sheriff of Franklin county a salaried office, in part, and to regulate the management thereof,' in relation to jailer and turnkey," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Aekroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 136, Rec. No. 9) entitled "An act to legalize and validate certain sewer bonds of the village of Seneca Falls and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of a tax for the payment of principal and interest thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wilcox |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 233, Rec. No. 10) entitled "An act to legalize the action of the board of supervisors of St. Lawrence county in dividing the town of Canton into town meeting districts and providing for the conducting of town meetings therein," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy] | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 44, Rec. No. 11) entitled "An act to legalize the proceedings of a meeting of the voters of union free school district No. 6, towns of Perry and Castile, county of Wyoming, and to authorize the board of education of said district to issue bonds to the amount of \$50,000," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar

legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 188, Int. No. 181) entitled "An act to permit the electors of the towns of Vernon and New Hartford, in the county of Oneida, to vote upon the proposition to make the charge of 15 per centum of cost of roads already improved in said towns, under chapter 115 of the Laws of 1898, a town charge instead of a charge upon abutting owners," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wilcox |

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Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 234, Int. No. 225) entitled "An act to amend chapter 319 of the Laws of 1903, entitled 'An act to make the office of sheriff of Herkimer county a salaried office and to

regulate the management of said office,' relative to fees of deputy sheriffs," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wilcox |

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Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 239, Int. No. 230) entitled "An act to amend chapter 294 of the Laws of 1904, entitled 'An act to make the office of sheriff of Orleans county a salaried one, in part, and to regulate the management thereof,' in relation to salary of under sheriff," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 215, Rec. No. 7) entitled "An act to amend chapter 29 of the Laws of 1902, entitled 'An act to make the office of sheriff of Franklin county a salaried office, in part, and to regulate the management thereof,' in relation to jailer and turnkey," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wileox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 136, Rec. No. 9) entitled "An act to legalize and validate certain sewer bonds of the village of Seneca Falls and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of a tax for the payment of principal and interest thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 233, Rec. No. 10) entitled "An act to legalize the action of the board of supervisors of St. Lawrence county in dividing the town of Canton into town meeting districts and providing for the conducting of town meetings therein," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy] | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 44, Rec. No. 11) entitled "An act to legalize the proceedings of a meeting of the voters of union free school district No. 6, towns of Perry and Castile, county of Wyoming, and to authorize the board of education of said district to issue bonds to the amount of \$50,000," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar

legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Gilchrist | Mullaney | Sullivan |
| Armstrong | Dunn | Grady | O'Neil | Taylor |
| Boyce | Emerson | Grattan | Owens | Thompson |
| Burr | Fancher | Harte | Page | Travis |
| Carpenter | Foelker | Hasenflug | Raines | Tully |
| Cassidy | Franchot | Heacock | Ramsperger | Wemple |
| Cobb | Frawley | Hill | Saxe | White |
| Cohalan | Fuller | Hooker | Smith | Wilcox |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 37, Int. No. 37) entitled "An act to amend the Code of Civil Procedure in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard," having been announced for third reading,

Mr. Agnew moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith amended as follows:

Page 9, after line 13, add the following: "*In case by any contingency, infants not in being may thereafter become possessed of any interest in said premises so sold, mortgaged or leased, the court, in case of a sale, shall cause the proceeds of the sale, after paying the cost and expenses of the same, to be placed at interest for the benefit of the persons who are, or who may ultimately be entitled to the same, and shall not authorize the distribution of the same in advance of said contingency, except upon a petition of some person entitled thereto and upon filing a bond in such penalty as the court shall direct, with two or more sureties approved by the court, and conditioned that in case of any contingency by which any infant not then in being shall thereafter become entitled to any of the proceeds of the sale, that said petitioner will pay to said person or persons his or their proportionate share of the money so paid over to said petitioner; and in the case of the mortgaging of said real estate the proceeds of the same, after paying cost and expenses, shall be paid out and disbursed under the direction of the court only for the purpose of paying lawful charges thereon or repairing, improving, building upon or otherwise enhancing in value any real estate so mortgaged as aforesaid.*"

8. This act shall take effect immediately."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Cobb moved that the committee on agriculture be discharged from the consideration of Senate bill (No. 281, Int. No. 268) entitled "An act to amend an act entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' in relation to cream," and that said bill be amended, reprinted and recommitted to the committee on agriculture.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill offered the following:

Whereas, On the thirty-first day of December, nineteen hundred and six, William Pryor Letchworth did convey to the people of this State about one thousand (1,000) acres of land in the town of Genesee Falls, Wyoming county, N. Y., and Portage, Livingston county, N. Y., in such deed described, subject to the terms and conditions in such deed stated, and the people of this State by chapter 1 of the Laws of 1907, have accepted title to such land, on the terms and conditions stated in said deed, such lands being of large value and embracing scenery of historic interest and great beauty; and

Whereas, William Pryor Letchworth, as a citizen, and as a public official of this State, at his own cost and expense, during a long period of time has rendered the people of this State distinguished services of great permanent value, therefore it is hereby

Resolved (if the assembly concur), (1) That said lands in Wyoming and Livingston counties which have been conveyed to the people of this State by William Pryor Letchworth for their use as a park or reservation, subject to terms and conditions stated in said deed, shall hereafter be known as "Letchworth Park," to commemorate the humane and noble work in private and public charities to which his life has been devoted, and in recognition of his eminent services to the people of this State;

(2.) That the Secretary of State is hereby directed to forward a copy of this concurrent resolution, duly certified, to William Pryor Letchworth.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The President presented the report of the State Reformatory at Elmira, which was laid upon the table and ordered printed.

(See Document.)

The President presented the report of the State Water Supply Commission, which was laid upon the table and ordered printed.

(See Document.)

Mr. Raines moved that the Senate do now adjourn, out of respect to the memory of Hon. Mervin C. Stanley.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, FEBRUARY 5, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. C. W. Heisler.

The journal of yesterday was read and approved.

Mr. Saxe introduced a bill (Int. No. 314) entitled "An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York,' relative to salaries," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Mr. Ackroyd introduced a bill (Int. No. 315) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to connecting roads and through incorporated villages," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 316) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to the payment of the cost of construction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 317) entitled "An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Raines introduced a bill (Int. No. 318) entitled "An act to amend the Legislative Law, in relation to the publication of laws," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Hooker introduced a bill (Int. No. 319) entitled "An act to provide for the erection of a suitable monument in commemoration of the soldiers of the Eighth Regiment, New York State Volunteers Heavy Artillery, who were engaged in the battle of Cold Harbor, State of Virginia, June 3, 1864, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Hill introduced a concurrent resolution (Int. No. 320) in the words following:

Concurrent resolution of the Senate and Assembly proposing an amendment to section 2 of article 6 of the Constitution in

relation to justices of the Appellate Division of the Supreme Court.

Section 1. Resolved (if the assembly concur), that section two of article six of the constitution be amended to read as follows:

ARTICLE VI.

§ 2. The legislature shall divide the state into four judicial departments. The first department shall consist of the county of New York; the others shall be bounded by county lines, and be compact and equal in population as nearly as may be. Once every ten years the legislature may alter the judicial departments, but without increasing the number thereof. There shall be an appellate division of the supreme court, consisting of seven justices in the first department, and of five justices in each of the other departments. In each department four shall constitute a quorum, and the concurrence of three shall be necessary to a decision. No more than five justices shall sit in any case. From all the justices elected to the supreme court the governor shall designate those who shall constitute the appellate division in each department; and he shall designate the presiding justice thereof, who shall act as such during his term of office, and shall be a resident of the department. The other justices shall be designated for terms of five years or the unexpired portions of their respective terms of office, if less than five years. From time to time as the terms of such designations expire, or vacancies occur, he shall make new designations. A majority of the justices so designated to sit in the appellate division, in each department shall be residents of the department. He may also make temporary designations in case of the absence or inability to act of any justice in the appellate division, or in case the presiding justice of any appellate division shall certify to him that one or more additional justices are needed for the speedy disposition of the business before it. Whenever the appellate division in any department shall be unable to dispose of its business within a reasonable time, a majority of the presiding justices of the several departments at a meeting called by the presiding justice of the department in arrears may transfer any pending appeals from such department to any other department for hearing and determination. No justice of the appellate division shall, within the department to which he may be designated to perform the duties of an appellate justice, exercise any of the powers of a justice of the supreme court, other than those of a justice out of court, and those pertaining to the appellate division, or to the hearing and decision of motions submitted by consent of counsel, but any such justice, when not actually engaged in performing the duties of such appellate justice in the department to which he is designated, may

hold any term of the supreme court and exercise any of the powers of a justice of the supreme court in any county or judicial district in any other department of the state. From and after the last day of December, eighteen hundred and ninety-five, the appellate division shall have the jurisdiction now exercised by the supreme court at its general terms and by the general terms of the court of common pleas for the city and county of New York, the superior court of the city of New York, the superior court of Buffalo and the city of Brooklyn, and such additional jurisdiction as may be conferred by the legislature. It shall have power to appoint and remove a reporter. The justices of the appellate division in each department shall have power to fix the times and places for holding special *and trial* terms therein, and to assign the justices in the departments to hold such terms; or to make rules therefor.

§ 2. Resolved (if the assembly concur), That the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and in conformity with section one, article fourteen of the constitution, be published for three months previous to the time of such election."

which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Fancher introduced a bill (Int. No. 321) entitled "An act to legalize and provide for the payment of certain bonds of union free school district No. 3 in the towns of Little Valley and Mansfield, in the county of Cattaraugus," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fancher, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Smith introduced a bill (Int. No. 322) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing with nets in Hudson and Delaware rivers and adjacent waters," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Cobb introduced a bill (Int. No. 323) entitled "An act to repeal section 75-a of the Forest, Fish and Game Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 324) entitled "An act to amend the Forest, Fish and Game Law, relative to close season for trout in certain counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 325) entitled "An act to amend the Forest, Fish and Game Law, in relation to transportation of deer or venison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Page introduced a bill (Int. No. 326) entitled "An act to amend section 401 of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

The Assembly sent for concurrence a resolution in the words following:

"Resolved (if the Senate concur), That the appointment of a committee of the Legislature, consisting of members of the Senate appointed by the President of the Senate, and members of the Assembly appointed by the Speaker of the Assembly, to attend the funeral of Honorable Mervin C. Stanley, held in the city of New York on February 3, 1907, together with all necessary expenses incurred by the Sergeants-at-Arms of the Senate and Assembly in connection therewith, be and the same are hereby in all things ratified and confirmed."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|--------|----------|
| Ackroyd | Cullen | Gates | Hinman | Smith |
| Allds | Davis | Gilchrist | Hooker | Sohmer |
| Armstrong | Dunn | Grady | Knapp | Sullivan |
| Boyce | Emerson | Grattan | Owens | Taylor |
| Burr | Fancher | Harte | Page | Tully |

Carpenter
Cassidy
Cobb
Cohalan

Foelker
Franchot
Fuller

Hasenflug
Heacock
Hill

Raines
Ramsperger
Saxe

Wemple
White
Wilcox

41

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

Mr. Hasenflug moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 27, Int. No. 27) entitled "An act to amend the Greater New York charter by providing for additional city magistrates, and for additional police clerks, stenographers and interpreters for city magistrates' courts, in the second division of the city of New York, and to repeal section 1396-a of chapter 466 of the Laws of 1901," and that said bill be amended, the title amended to read as follows: "An act to amend the Greater New York charter by providing for additional city magistrates, and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates' courts, in the second division of the city of New York," and that the same be reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Harte moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 248, Int. No. 236) entitled "An act to provide for the payment of the claim of John M. Phillips, for work and material furnished the bureau of highways of the borough of Queens, the city of New York, during the year 1903," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Page offered the following:

"Resolved (if the Assembly concur), That at 12 o'clock noon, on Wednesday, February 13, 1907, the Senate and Assembly meet in joint convention, as provided by law, for the purpose of comparing nominations for the office of Regent of the University in the place of William Nottingham of the city of Syracuse, county of Onondaga, whose term of office is about to expire."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

Mr. Raines offered the following:

“Resolved, That at 12 o'clock noon, on Tuesday, February 12, 1907, the Senate proceed to nominate a candidate for the office of Regent of the University in the place of William Nottingham, of the city of Syracuse, county of Onondaga, whose term of office is about to expire.”

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Gilchrist offered the following:

Whereas, There is general and widespread complaint and dissatisfaction in the city of New York and the several boroughs thereof against the Board of Education of the city of New York, because of the exorbitant prices which are being paid for school sites, the inadequate seating accommodations for the children in the schools under its control, there being thousands of children of school age now either wholly without school accommodation or on part time only, and

Whereas, There is general and widespread complaint throughout the city, that a large portion of the moneys appropriated for and which of right ought to be used and expended by the Board of Education of the city of New York, and which money is raised by taxation, is being put to improper uses by the Board in the employment of superfluous and unnecessary clerks, inspectors, investigators and other unnecessary persons, and that many persons employed by the Board render little or no service for the moneys paid to them, and

Whereas, By reason of these premises and a lax and careless administration of the affairs of said Board favored contractors and material-men are being enriched, and larger prices are paid them for work and materials than the same could otherwise be purchased for and large sums of money are thereby diverted from the proper uses of the Board, and the moneys which should be used for the increase of the seating capacity of the schools and the increase in their number is thereby wasted, and

Whereas, It is commonly asserted that a huge and well-developed system of “graft” is in existence and being worked to the detriment of the interests of the people of the city of New York and to the injury of the school system, and

Whereas, The said Board of Education claims that it is the sole judge of its expenditure of the moneys allowed it by the Board of Estimate for school purposes and that it alone has the power to fix the salaries and compensations of all persons employed by it and that the officers of the city government have no right to a supervision of its acts as to its expenditure of such moneys or the salaries fixed by the Board or the contracts for such expenditures entered into by the Board, therefore,

Resolved (if the Assembly concur), That a joint committee be appointed consisting of two members of the Senate and three members of the Assembly, which committee shall, as speedily as may be, proceed to investigate and examine into the organization, operation and acts of the Board of Education of the city of New York, the prices paid for school sites, the sources of title to such sites, the number of employees, the terms of their employment, whether under civil service or otherwise, the services which such employees render and the salaries or wages paid to them respectively, the number of contracts for buildings, supplies, labor, stationery, books, materials or other necessities now outstanding, for which said Board is liable and the amounts thereof and of such liabilities and to and with whom made, the number of children of school age in the city of New York who are prevented from or are not attending the public schools by reason of the inadequate seating accommodations or otherwise, how long such inadequate seating accommodations for school children has existed, and the extent thereof since the consolidation of various boroughs comprising the city of New York, and generally to investigate any other phase of the public school administration under the direction and control of the Board of Education of the city of New York since such consolidation and deemed by the committee to be germane to the purpose of such investigation, and that the committee report to the Legislature as soon as possible the result of their investigation with such remedial measures as it may deem necessary and proper.

Further resolved, That said committee be and it hereby is authorized and empowered to require and enforce the attendance of witnesses, the production of books and papers, to administer oaths and to employ counsel, stenographers, clerks and such other employees as may be necessary for the purpose of the investigation.

Further resolved, That a sum not exceeding \$25,000 is hereby appropriated out of the moneys in the treasury not otherwise appropriated, for the purposes of said committee."

Said resolution was referred to the committee on finance.

The Senate resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 3, Int. No. 3), entitled "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' and the acts amendatory thereof."

(2) Senate (No. 68, Int. No. 68), entitled "An act to provide for the election of a village president of the village of Saratoga Springs by the electors thereof."

(3) Senate (No. 71, Int. No. 71), entitled "An act to create the office of village comptroller of the village of Saratoga Springs, and defining his powers and duties, and to abolish the present office of village comptroller of said village."

(4) Senate (No. 185, Int. No. 178), entitled "An act to amend subdivision 4 of section 1103 of the Code of Civil Procedure as to the minutes of the drawing of jurors and the custody thereof."

(5) Senate (No. 292, Int. No. 189), entitled "An act to amend section 484 of the Code of Civil Procedure, in relation to joining in the same complaint causes of action for penalties incurred for violations of the Public Health Law."

(6) Senate (No. 295, Int. No. 235), entitled "An act to amend the Code of Civil Procedure, relative to fees of grand and trial jurors in certain counties."

(7) Senate (No. 308, Int. No. 10), entitled "An act to amend the Labor Law, relative to the hours of employment of minors in factories."

(8) Senate (No. 15, Int. No. 15), entitled "An act to amend section 7 of chapter 93 of the Laws of 1906, entitled 'An act to make the office of county clerk of Cayuga county a salaried office and regulating the management of said office.'"

(9) Senate (No. 309, Int. No. 50), entitled "An act validating and legalizing certain conveyances of real estate to the village of Turin, Lewis county, N. Y., for the purpose of its water works system."

(10) Senate (No. 60, Int. No. 60), entitled "An act to release to Cora Fehling all the right, title and interest of the people of the

State of New York in and to certain real estate situated in the second ward of the borough of Queens, county of Queens, the city and State of New York, acquired by escheat upon the death of Martin N. Connolly."

(11) Senate (No. 63, Int. No. 63), entitled "An act to amend the Membership Corporations Law, relating to the incorporation of boards of trade."

(12) Senate (No. 310, Int. No. 153), entitled "An act to amend chapter 213 of the Laws of 1904, entitled 'An act to make the office of county clerk of Orange county a salaried office and regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to the fees of such clerk."

(13) Senate (No. 177, Int. No. 171), entitled "An act to legalize the proceedings of the board of trustees of the village of Cobleskill, Schoharie county, in submitting to the voters of said village at its annual election held December 3, 1906, a proposition to borrow money and issue bonds for the taking and acquiring title to the real estate in said village known as the 'Wood property,' and such other real estate lying near the same as may be deemed necessary for the establishment of a public park, and legalizing the vote on said proposition and all proceedings of said board of trustees had thereunder, and to provide for the payment of the principal and interest of said bonds issued or to be issued thereunder."

(14) Assembly (No. 214, Rec. No. 6), entitled "An act to legalize and confirm the proceedings of William Heffer, sole trustee, and the legal voters of school district No. 3 of the town of Penfield, N. Y., relative to the levy of a tax payable in installments and the issuance and sale of certain school bonds of said district."

After some time spent therein, the President resumed the chair, and Mr. Cullen, from said committee, reported in favor of the passage of the above-named bills, the twelfth of said bills with amendments, which report was agreed to, and said bills ordered to a third reading.

The Assembly returned the Senate bill (No. 268, Int. No. 117) entitled "An act to validate, legalize and confirm all of the proceedings of the legal voters of school district No. 1, in the town of Ossining, Westchester county, N. Y., at the annual meeting thereof held on the 7th of August, 1906; adjourned annual meet-

ing thereof held on the 11th of September, 1906; at the special election thereof held on the 13th of October, 1906, and the action of the board of education of said district, prior and subsequent thereto, relative to acquiring a schoolhouse site and constructing a new school building therein, in said district, and the levying of a tax and the sale and issuance of certain bonds of said district," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, FEBRUARY 6, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. W. M. Hitchcock.

The journal of yesterday was read and approved.

Mr. McCarren introduced a bill (Int. No. 327) entitled "An act to amend section 31 of the Forest, Fish and Game Law, being section 31 of the general laws, as amended, with respect to the closed season on Mongolian ring-necked and English pheasants in the county of Dutchess," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 328) entitled "An act to amend the Greater New York charter, in relation to the fixing of salaries by the board of education," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Saxe introduced a bill (Int. No. 329) entitled "An act to amend the Election Law, in relation to boards of elections in certain cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 330) entitled "An act to amend the

Greater New York charter in relation to retiring members of the fire department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 331) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' relative to members of disbanded fire, hose, engine and hook and ladder companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 332) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Smith introduced a bill (Int. No. 333) entitled "An act to amend the charter of the city of Hudson, in relation to the board of education," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Smith, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Mr. Grattan introduced a bill (Int. No. 334) entitled "An act to amend chapter 159 of the Laws of 1905, entitled 'An act to incorporate the trustees of the Eastern Star Hall and Home of the State of New York, and their successors, under the corporate name of the trustees of the Eastern Star Hall and Home of the State of New York,' in relation to the objects of such corporation," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 335) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Helen K. Sheehy against the State of New York for services performed by her as stenographer in the State department of public instruction during the year 1903," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wemple introduced a bill (Int. No. 336) entitled "An act to amend chapter 214 of the Laws of 1887, entitled 'An act to organize and establish a police department for the village of Saratoga Springs and defining its powers and duties,' in relation to the police commissioner," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Gates introduced a bill (Int. No. 337) entitled "An act to amend the Highway Law, relative to the amount to be paid by the State to towns which have adopted the money system," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Wilcox introduced a bill (Int. No. 338) entitled "An act amending section 6 of chapter 306 of the Laws of 1893, entitled 'An act to establish a State prison for women,' relative to salaries of guards and assistant matrons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Raines introduced a bill (Int. No. 339) entitled "An act authorizing the board of supervisors of Ontario county to appropriate moneys to provide quarters for Grand Army posts," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on internal affairs of towns and counties, retaining its place on the order of third reading.

Also, a bill (Int. No. 340) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for mink, skunk and muskrat in the county of Ontario," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on forest, fish and game laws, retaining its place on the order of third reading.

Mr. Fancher introduced a bill (Int. No. 341) entitled "An act to legalize the bonds of school district No. 1, of the town of Great Valley, in the county of Cattaraugus, in the State of New York, amounting to the sum of \$15,550, issued for the purpose of defraying the expense for the erection and completion of a schoolhouse in said school district," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fancher, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Cohalan introduced a bill (Int. No. 342) entitled "An act to amend the Greater New York charter, relative to the salary of the president of the board of aldermen," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on affairs of cities.

Mr. Hooker introduced a bill (Int. No. 343) entitled "An act to amend chapter 120 of the Laws of 1881, entitled 'An act concerning certain records in the office of the Secretary of State and of the Comptroller,' relative to filing certain election returns and files in the State library," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Carpenter introduced a bill (Int. No. 344) entitled "An act to amend section 6 of title 3 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers, in relation to the appointment of additional help in the office of the city clerk,' " which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Mr. Frawley introduced a bill (Int. No. 345) entitled "An act to compel the Harlem River Railroad Company, lessor, and the New York Central and Hudson River Railroad Company, lessee, to construct foot bridges or passageways for pedestrians over or under their tracks on certain streets in the city of New York,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Grady introduced a bill (Int. No. 346) entitled "An act authorizing the board of taxes and assessments in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 250, Rec. No. 18) entitled "An act to extend the time within which the commission to investigate the condition of the blind may make its report, and making a further appropriation to complete the work of the commission," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 115, Rec. No. 19) entitled "An act to amend the Lien Law, in relation to chattel mortgages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 416, Rec. No. 20) entitled "An act making appropriations for the erection of certain buildings at the Binghamton State Hospital, the Middletown State Homeopathic Hospital, the Hudson River State Hospital, and the Kings Park State Hospital, and for the improvement of the water supply at the Binghamton State Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 418, Rec. No. 21) entitled "An act to amend the Code of Civil Procedure, in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on printed and engrossed bills for comparison with Senate bill of same title now on the order of third reading.

Also, the bill (No. 199, Rec. No. 22) entitled "An act to authorize the comptroller of the city of New York, in his discretion, to examine into the facts concerning the services rendered by Hector McNeile as clerk to a coroner of Kings county, and to

provide for the payment of such claim," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 463, Rec. No. 23) entitled "An act to amend chapter 137 of the Laws of 1886, entitled 'An act to incorporate the State executive committee of the Young Men's Christian Associations of the State of New York,' in relation to trustees and the election thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fuller, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, the bill (No. 391, Rec. No. 24) entitled "An act making an appropriation for expenses of the Senate and Assembly," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Also, the bill (No. 345, Rec. No. 25) entitled "An act to provide for the payment of the balance due newspapers for the publication of the general laws of the State for the year 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 193, Rec. No. 26) entitled "An act making appropriations to the State Commissioner of Excise for the payment of refunds on surrender of liquor tax certificates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 344, Rec. No. 27) entitled "An act to provide for the payment of the balance due newspapers for the publication of concurrent resolutions of the Legislature of 1906, proposing amendments to the Constitution of this State, and for deficiency in appropriation for the publication of other official notices required to be published as provided by law, which are subject to contract," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 281, Rec. No. 28) entitled "An act to amend

the Village Law, in relation to the borrowing of money for certain purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 142, Rec. No. 29) entitled "An act to amend section 5 of an act to amend chapter 10 of the Laws of 1859, entitled 'An act to amend the act, entitled "An act to revise, amend and consolidate the several acts relating to the village of Whitesboro,"' passed June 14, 1884, relative to new fire house in said village," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ackroyd, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Also, the bill (No. 279, Rec. No. 30) entitled "An act to legalize the proceedings of the board of trustees of the village of Cobleskill, Schoharie county, in submitting to the voters of said village at its annual election held December 3, 1906, a proposition to borrow money and issue bonds for the taking and acquiring title to the real estate in said village known as the 'Wood property,' and such other real estate lying near the same as may be deemed necessary for the establishment of a public park, and legalizing the vote on said proposition, and all proceedings of said board of trustees had thereunder, and to provide for the payment of the principal and interest of said bonds issued or to be issued thereunder," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Heacock, and by unanimous consent, said bill was substituted for Senate bill (No. 177, Int. No. 171) now on the order of third reading.

Also, the bill (No. 10, Rec. No. 31) entitled "An act to amend section 1, chapter 151 of the Laws of 1861, entitled 'An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Boyce, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Also, the bill (No. 359, Rec. No. 32) entitled "An act to amend chapter 57 of the Laws of 1883, entitled 'An act for the preservation of public records, maps and papers,' in relation to the com-

pensation of persons employed in such work," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mullaney, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Also, the bill (No. 417, Rec. No. 33) entitled "An act to amend chapter 253 of the Laws of 1857, entitled 'An act to incorporate the trustees of the New York Universalist Relief Fund,' changing the number and manner of election of trustees thereof, and the investment of its funds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 183, Rec. No. 34) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city,"' relating to the duties of the treasurer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly returned the Assembly bill (No. 50, Senate Reprint No. 245, Rec. No. 4) entitled "An act making an appropriation for the Attorney-General," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the concurrent resolution introduced by Mr. Hill, relative to "Letchworth Park," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Secretary of State in accordance with the provisions thereof.

The Assembly returned the concurrent resolution relative to a joint convention of the Senate and Assembly to be held Wednesday, February thirteenth, for the purpose of comparing nominations for the office of Regent of the University, with a message that they have concurred in the passage of the same.

Mr. Agnew, from the committee on engrossed bills, reported as

correctly printed and engrossed the Senate bill (No. 288, Int. No. 89) entitled "An act to amend the Greater New York charter, by providing for an appropriation for the repair and for the maintenance of the Soldiers' and Sailors' Monument in the borough of Manhattan."

Also, Senate bill (No. 289, Int. No. 104) entitled "An act to validate and authorize certain improvement bonds of the village of Kenmore, Erie county, N. Y., validating proceedings heretofore taken for the issuance and sale thereof, and providing for the delivery or resale thereof, and for the levy of a tax for the payment of the principal and interest thereof."

Also, Senate bill (No. 285, Int. No. 100) entitled "An act to amend chapter 185 of the Laws of 1906, entitled 'An act to revise the charter of the city of Auburn.'"

Also, Senate bill (No. 15, Int. No. 15) entitled "An act to amend section 7 of chapter 93 of the Laws of 1906, entitled 'An act to make the office of county clerk of Cayuga county a salaried office, and regulating the management of said office.'"

Also, Senate bill (No. 292, Int. No. 189) entitled "An act to amend section 484 of the Code of Civil Procedure, in relation to joining in the same complaint causes of action for penalties incurred for violations of the Public Health Law."

Also, Senate bill (No. 185, Int. No. 178) entitled "An act to amend subdivision 4 of section 1103 of the Code of Civil Procedure, as to the minutes of the drawings of jurors and the custody thereof."

Also, Senate bill (No. 177, Int. No. 171) entitled "An act to legalize the proceedings of the board of trustees of the village of Cobleskill, Schoharie county, in submitting to the voters of said village at its annual election held December 3, 1906, a proposition to borrow money and issue bonds for the taking and acquiring title to the real estate in said village known as the 'Wood property,' and such other real estate lying near the same as may be deemed necessary for the establishment of a public park, and legalizing the vote on said proposition and all proceedings of said board of trustees had thereunder, and to provide for the payment of the principal and interest of said bonds issued or to be issued thereunder."

Also, Senate bill (No. 285, Int. No. 100) entitled "An act to amend chapter 185 of the Laws of 1906, entitled 'An act to revise the charter of the city of Auburn.'"

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Page (No. 133, Int. No. 130), entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to fees payable to clerks," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee on the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Page (No. 132, Int. No. 129), entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the duties and powers of clerks," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Page (No. 153, Int. No. 149), entitled "An act to amend section 253, chapter 580 of the Laws of 1902, known as the Municipal Court Act, with reference to the opening of defaults, and vacating judgments," reported in favor of the passage of the same with amendments, the title being amended to read as follows:

"An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals vacating judgments and final orders,"

which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hill (No. 316, Int. No. 289), entitled "An act to transfer a part of Niagara street in the city of Buffalo to the control and jurisdiction of the board of park commissioners of said city," reported in favor of the passage of the same, which report was agreed to and said bill restored to its place on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Harte (No. 294, Int. No. 234), entitled "An act to provide for the payment of the claim of Robert E. Jones for furnishing work, labor, services and materials in the repair of the fire alarm system in the fifth ward of the borough of Queens in the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Travis (No. 165, Int. No. 21), entitled "An act to amend the charter of the city of New York, known as chapter 466 of the Laws of 1901, to remove the present restriction upon the board of estimate and apportionment on the amount which may annually be raised and appropriated for the maintenance of buildings, instruments and equipments of the Brooklyn Institute of Arts and Sciences," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fuller (No. 84, Int. No. 84), entitled "An act to authorize the erection of a fire-proof children's museum building in the borough of Brooklyn, city of New York, in place of the present building, and the designation or acquisition of a site therefor, and to provide for the care and maintenance of the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fuller (No. 24, Int. No. 24), entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, in relation to compensation of commissioners taking depositions,'" reported in favor of the passage of the same with amendments, the title being amended to read as follows:

"An act to amend chapter five hundred and eighty of the laws of nineteen hundred and two, entitled 'An act in relation to the

municipal court of the city of New York, its officers and marshals,' in relation to compensation of commissioners taking depositions."

which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No. 207, Int. No. 200), entitled "An act to provide that proceedings and applications under chapter 490 of the Laws of 1883, entitled 'An act to provide new reservoirs, dams and a new aqueduct with the appurtenances thereto, for the purpose of supplying the city of New York with an increased supply of pure and wholesome water,' and the acts amendatory thereof and supplemental thereto, shall be taken and made in the Supreme Court in the judicial district in which the lands affected or acquired are situated," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. McCarren (No. 252, Int. No. 240), entitled "An act to amend the Code of Civil Procedure in reference to stenographers in the Supreme Court in the county of Kings," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxe (No. 41, Int. No. 41), entitled "An act to amend section 1781 of the Code of Civil Procedure in relation to actions against directors, etc., of a corporation for misconduct," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole, Mr. Human and Mr. Cassidy dissenting.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxe (No. 42, Int. No. 42), entitled "An act to amend the Code of Civil Procedure by adding a new section to be known as section 1782-a, in relation to the

equity jurisdiction of the Supreme Court," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole, Mr. Hinman and Mr. Cassidy dissenting.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Saxe (No. 290, Int. No. 111), entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the First Department,' relative to the appointment of a confidential clerk," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. McCarren (No. 108, Int. No. 106), entitled "An act to authorize the justices of the Appellate Division of the Supreme Court in the Second Judicial Department to appoint a case and consultation clerk, and to provide for his compensation," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Wemple (No. 274, Int. No. 261), entitled "An act to amend the Village Law, in relation to street improvement," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Senate bill (No. 285, Int. No. 100) entitled "An act to amend chapter 185 of the Laws of 1906, entitled 'An act to revise the charter of the city of Auburn,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | Mullaney | Sullivan |
| Allds | Davis | Grady | O'Neil | Taylor |
| Armstrong | Dunn | Grattan | Owens | Thompson |
| Boyce | Emerson | Harte | Page | Travis |
| Burr | Fancher | Hasenflug | Raines | Tully |
| Carpenter | Foelker | Heacock | Ramsperger | Wemple |
| Cassidy | Franchot | Hill | Saxe | White |
| Cobb | Frawley | Hinman | Smith | Wilcox |
| Cohalan | Fuller | Hooker | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 288, Int. No. 89) entitled "An act to amend the Greater New York charter by providing for an appropriation for the repair and for the maintenance of the soldiers' and sailors' monument in the borough of Manhattan," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 289, Int. No. 104) entitled "An act to validate and authorize certain improvement bonds of the village of Kenmore, Erie county, N. Y., validating proceedings heretofore taken for the issuance and sale thereof and providing for the delivery or resale thereof, and for the levy of a tax for the payment of the principal and interest thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cobalan | Fuller | Hooker | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 292, Int. No. 189) entitled "An act to amend section 484 of the Code of Civil Procedure, in relation to joining in the same complaint causes of action for penalties incurred for violations of the Public Health Law," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cobalan | Fuller | Hooker | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 185, Int. No. 178) entitled "An act to amend subdivision 4 of section 1103 of the Code of Civil Procedure as to the minutes of the drawings of jurors and the custody thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 15, Int. No. 15) entitled "An act to amend section 7 of chapter 93 of the Laws of 1906, entitled 'An act to make the office of county clerk of Cayuga county a salaried office and regulating the management of said office,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd } | Cordts | Gates | McCall | Smith |
| Agnew } | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 279, Rec. No. 30) entitled "An act to legalize the proceedings of the board of trustees of the village of

Cobleskill, Schoharie county, in submitting to the voters of said village at its annual election held December 3, 1906, a proposition to borrow money and issue bonds for the taking and acquiring title to the real estate in said village known as the 'Wood property,' and such other real estate lying near the same as may be deemed necessary for the establishment of a public park, and legalizing the vote on said proposition and all proceedings of said board of trustees had thereunder, and to provide for the payment of the principal and interest of said bonds issued or to be issued thereunder," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 214, Rec. No. 6) entitled "An act to legalize and confirm the proceedings of William Heffer, sole trustee, and the legal voters of school district No. 3 of the town of Penfield, N. Y., relative to the levy of a tax payable in installments and the issuance and sale of certain school bonds of said district," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 391, Rec. No. 24) entitled "An act making an appropriation for expenses of the Senate and Assembly," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 10, Rec. No. 31) entitled "An act to amend section 1, chapter 151, Laws of 1861, entitled 'An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 287, Int. No. 55) entitled "An act to amend section 258 of the Code of Civil Procedure relating to the appointment of stenographers for the Supreme Court so as to permit the appointment of one additional stenographer in the seventh and eighth judicial districts," having been announced for third reading, Mr. Tully moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith amended as follows:

Page 1, line 2, after the colon insert the words following: "§ 258, stenographers for certain judicial districts,"

Page 2, line 10, after the comma insert the word "(seven)" in brackets and italicize the word "eight".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 295, Int. No. 235) entitled "An act to amend the Code of Civil Procedure, relative to fees of grand and trial jurors in certain counties," having been announced for third reading, Mr. Cobb moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith amended as follows:

Page 2, line 3, italicize the word "Cattaraugus" and immediately thereafter insert the words "Monroe, Oneida, Onondaga, Allegany." in italics.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The President presented the report of the New York Juvenile Asylum, which was laid upon the table and ordered printed.

(See Document.)

The President presented the report of the Society for the Reformation of Juvenile Delinquents, which was laid upon the table and ordered printed.

(See Document.)

The President presented the report of the Court of Claims, which was laid upon the table and ordered printed.

(See Document.)

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, FEBRUARY 7, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. James Ludden.

The journal of yesterday was read and approved.

Mr. Agnew introduced a bill (Int. No. 347) entitled "An act to amend section 21 of the General Corporations Law, relating to proxies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cohalan introduced a bill (Int. No. 348) entitled "An act empowering the comptroller of the city of New York to vacate and cancel certain assessments for public improvements upon the real property of St. Paul's German Evangelical Reformed Church," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 349) entitled "An act empowering the comptroller of the city of New York to refund to the St. Paul's German Evangelical Reformed Church, or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Smith introduced a bill (Int. No. 350) entitled "An act to amend chapter 451 of the Laws of 1900, entitled 'An act authorizing the establishment of water districts in towns,' in relation to the procedure for creating such districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Wemple introduced a bill (Int. No. 351) entitled "An act to amend chapter 506 of the Laws of 1902, entitled 'An act to amend the charter of the village of Saratoga Springs and to provide for the appointment of sewer, water and street commissioners for said village, and to prescribe their powers and duties,' and repealing sections 7 and 44-a thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Heacock introduced a bill (Int. No. 352) entitled "An act to amend chapter 389 of the Laws of 1893, entitled 'An act to establish a board of water commissioners of the village of Newport,' in relation to the bond of the commissioner," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Hinman introduced a bill (Int. No. 353) entitled "An act in relation to warehouse receipts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 354) entitled "An act in relation to the sale of goods," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 355) entitled "An act to amend the Code of Criminal Procedure, relative to peremptory challenges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 356) entitled "An act to amend chapter 160 of the Laws of 1900, entitled 'An act to incorporate the city of Cortland,' relative to revising and adding to certain sections of the charter," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Mr. Cassidy introduced a bill (Int. No. 357) entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries, and to fix the compensation of such stenographers,' relative to the appointment of stenographers to take evidence before grand juries and at coroner's inquests and examinations and trials of criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Saxe introduced a bill (Int. No. 358) entitled "An act to amend chapter 359 of the Laws of 1862, entitled 'An act to incorporate the New York Commercial Association,' and the acts amendatory thereof, in relation to the purposes of such corporation," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, a bill (Int. No. 359) entitled "An act to amend section 13 of chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws,' relating to the purchase, sale, mortgage and lease of real property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Foelker introduced a bill (Int. No. 360) entitled "An act to authorize the board of estimate and apportionment of the city of New York to examine, audit and allow the claims of Maria Hatfield, Mary E. Gibbons, Letitia Taylor, Mary E. Peacock, Anna S. Roome, Ida Tietjen, Emilie J. Meury, Myra D. Hughes, Julia O'Brien, Mary Hickey, Emma Feehey, Margaret S. Beaver, probationary officers of the city of New York, for services," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Knapp introduced a bill (Int. No. 361) entitled "An act to amend the Tax Law, in regard to taxation of State lands in towns of Dannemora and Altona, in Clinton county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Cullen (on behalf of Mr. McCarren) introduced a bill (Int. No. 362) entitled "An act to amend chapter 712 of the Laws of 1901, entitled 'An act to relieve the congestion and facilitate the traffic on the New York and Brooklyn bridge, and to improve and extend the footpaths, roadways, railway tracks and other facilities for the use of pedestrians, vehicles and railway passengers at the westerly or Manhattan terminal of said bridge,' as to amendments, changes or modifications," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cullen, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Also, a bill (Int. No. 363) entitled "An act to provide for a temporary extension of the Manhattan or westerly terminal of the New York and Brooklyn bridge in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Thompson introduced a bill (Int. No. 364) entitled "An act to prohibit practicing physicians from prescribing patent medicines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, a bill (Int. No. 365) entitled "An act to amend the Public Health Law, relative to the manufacture and sale of patent or proprietary medicines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Agnew, from the committee on engrossed bills, reported as correctly printed and engrossed the Senate bill (No. 309, Int. No. 50) entitled "An act validating and legalizing certain conveyances of real estate to the village of Turin, Lewis county, N. Y., for the purpose of its water supply system."

Also, Senate bill (No. 308, Int. No. 10) entitled "An act to amend the Labor Law relative to the hours of employment of minors in factories."

Also, Senate bill (No. 63, Int. No. 63) entitled "An act to amend the Membership Corporations Law relating to the incorporation of boards of trade."

Also, Senate bill (No. 320, Int. No. 254) entitled "An act to amend chapter 469 of the Laws of 1875, entitled 'An act to enable the Buffalo General Hospital to change the number of its trustees,' in relation to its trustees."

Also, Senate bill (No. 68, Int. No. 68) entitled "An act to provide for the election of a village president of the village of Saratoga Springs by the electors thereof."

Also, Senate bill (No. 3, Int. No. 3) entitled "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' and the acts amendatory thereof."

Also, Senate bill (No. 60, Int. No. 60) entitled "An act to release to Cora Fehling all the right, title and interest of the people of the State of New York in and to certain real estate situated in the second ward of the borough of Queens, county of Queens, the city and State of New York, acquired by escheat upon the death of Martin N. Connolly."

Also, Senate bill (No. 71, Int. No. 71) entitled "An act to create the office of village comptroller of the village of Saratoga Springs, and defining his powers and duties, and to abolish the present office of village comptroller of said village."

Also, Senate bill (No. 316, Int. No. 289) entitled "An act to transfer a part of Niagara street in the city of Buffalo to the control and jurisdiction of the board of park commissioners of said city."

Also, Senate bill (No. 290, Int. No. 111) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the First Department,' relative to the appointment of a confidential clerk."

Also, Senate bill (No. 108, Int. No. 106) entitled "An act to authorize the justices of the Appellate Division of the Supreme Court in the Second Judicial Department to appoint a case and consultation clerk, and to provide for his compensation."

Also, Senate bill (No. 207, Int. No. 200) entitled "An act to provide that proceedings and applications under chapter 490 of the Laws of 1883, entitled 'An act to provide new reservoirs, dams and a new aqueduct, with the appurtenances thereto, for the purpose of supplying the city of New York with an increased supply of pure and wholesome water,' and the acts amendatory thereof and supplemental thereto, shall be taken and made in the Supreme Court in the judicial district in which the lands affected or acquired are situated."

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Harte (No. 59, Int. No. 59) entitled "An act to amend the County Law, relative to the appointment of assistant district attorneys in the county of Queens," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Wemple (No. 208, Int. No. 201), entitled "An act to authorize the board of supervisors of the county of Saratoga to acquire the real property, rights and franchise of the Saratoga Lake Bridge Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and

counties, to which was referred the Senate bill introduced by Mr. Ramsperger (No. 282, Int. No. 269), entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' relative to grand jury stenographers of Erie county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Gates (No. 237, Int. No. 228), entitled "An act to amend chapter 225 of the Laws of 1901, entitled 'An act to incorporate the city of Oneida,' in relation to sewers," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grattan (No. 261, Int. No. 249), entitled "An act to amend section 4 of title 15 of chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' as amended by chapter 302 of the Laws of 1885, as amended by chapter 91 of the Laws of 1903, relative to the superintendent of the almshouse," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wemple (No. 275, Int. No. 262), entitled "An act to amend an act, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to the boundaries of the several wards of the city of Schenectady and to increasing the number thereof and defining the boundaries thereof, and election of ward officers and appointing of election officers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Ralston (No. 355,

Rec. No. 12), entitled "An act to incorporate the trustees of the fund for the families of deceased clergymen of the Protestant Episcopal Church in the diocese of Long Island," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr Ralston (No. 356, Rec. No. 13), entitled "An act to incorporate the trustees of the clergymen's pension and retirement fund of the Protestant Episcopal Church in the diocese of Long Island," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wemple (No. 276, Int. No. 263), entitled "An act to establish a police pension fund for the city of Schenectady, N. Y.," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wemple (No. 277, Int. No. 264), entitled "An act to establish a permanent firemen's pension fund for the city of Schenectady, N. Y.," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

The Assembly bill (No. 356, Rec. No. 13) entitled "An act to incorporate the trustees of the clergymen's pension and retirement fund of the Protestant Episcopal Church in the diocese of Long Island," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cullen | Gilchrist | McCall | Sohmer |
| Agnew | Davis | Grady | Mullaney | Taylor |
| Allds | Dunn | Grattan | O'Neil | Thompson |
| Armstrong | Emerson | Hasenflug | Page | Travis |

| | | | | |
|-----------|---------|---------|------------|--------|
| Boyce | Fancher | Heacock | Raines | Tully |
| Carpenter | Foelker | Hill | Ramsperger | Wemple |
| Cassidy | Fuller | Hooker | Saxe | White |
| Cobb | Gates | Knapp | Smith | Wilcox |
| Cohalan | | | | |

41

FOR THE NEGATIVE.

Hinman

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 355, Rec. No. 12) entitled "An act to incorporate the trustees of the fund for the families of deceased clergymen of the Protestant Episcopal Church in the diocese of Long Island," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cohalan | Gilchrist | McCall | Sohmer |
| Agnew | Cordts | Grady | Mullaney | Taylor |
| Allds | Cullen | Grattan | O'Neil | Thompson |
| Armstrong | Davis | Hasenflug | Page | Travis |
| Boyce | Dunn | Heacock | Raines | Tully |
| Burr | Emerson | Hill | Ramsperger | Wemple |
| Carpenter | Foelker | Hooker | Saxe | White |
| Cassidy | Fuller | Knapp | Smith | Wilcox |
| Cobb | Gates | | | |

42

FOR THE NEGATIVE.

Hinman

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 142, Rec. No. 29) entitled "An act to amend section 5 of an act to amend chapter 10 of the Laws of 1859, entitled 'An act to amend the act entitled "An act to revise, amend and consolidate the several acts relating to the village of Whitesboro,"' passed June 14, 1884, relative to new fire house in said village," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCall | Sohmer |
| Agnew | Davis | Grattan | Mullaney | Taylor |
| Allis | Dunn | Hasenflug | O'Neil | Thompson |
| Armstrong | Emerson | Heacock | Page | Travis |
| Boyce | Foelker | Hill | Raines | Tully |
| Carpenter | Fuller | Hinman | Ramsperger | Wemple |
| Cassidy | Gates | Hooker | Saxe | White |
| Cobb | Gilchrist | Knapp | Smith | Wilcox |
| Cohalan | | | | |

41

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 207, Int. No. 200) entitled "An act to provide that proceedings and applications under chapter 490 of the Laws of 1883, entitled 'An act to provide new reservoirs, dams and a new aqueduct, with the appurtenances thereto, for the purpose of supplying the city of New York with an increased supply of pure and wholesome water,' and the acts amendatory thereof and supplemental thereto, shall be taken and made in the Supreme Court in the judicial district in which the lands affected or acquired are situated," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCall | Sohmer |
| Agnew | Davis | Grattan | Mullaney | Taylor |
| Allis | Dunn | Hasenflug | O'Neil | Thompson |
| Armstrong | Emerson | Heacock | Page | Travis |
| Boyce | Fancher | Hill | Raines | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Fuller | Hooker | Saxe | White |
| Cobb | Gates | Knapp | Smith | Wilcox |
| Cohalan | Gilchrist | | | |

42

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 108, Int. No. 106) entitled "An act to authorize the justices of the Appellate Division of the Supreme Court in the Second Judicial Department to appoint a case and consultation clerk, and to provide for his compensation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCall | Sohmer |
| Agnew | Davis | Grattan | Mullaney | Taylor |
| Allds | Dunn | Hasenflug | O'Neil | Thompson |
| Armstrong | Emerson | Heacock | Page | Travis |
| Boyce | Foelker | Hill | Raines | Tully |
| Carpenter | Fuller | Hinman | Ramsperger | Wemple |
| Cassidy | Gates | Hooker | Saxe | White |
| Cobb | Gilchrist | Knapp | Smith | Wilcox |
| Cohalan | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 63, Int. No. 63) entitled "An act to amend the Membership Corporations Law, relating to the incorporation of boards of trade," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCall | Sohmer |
| Agnew | Davis | Grattan | Mullaney | Taylor |
| Allds | Dunn | Hasenflug | O'Neil | Thompson |
| Armstrong | Emerson | Heacock | Page | Travis |
| Boyce | Foelker | Hill | Raines | Tully |
| Carpenter | Fuller | Hinman | Ramsperger | Wemple |
| Cassidy | Gates | Hooker | Saxe | White |
| Cobb | Gilchrist | Knapp | Smith | Wilcox |
| Cohalan | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 60, Int. No. 60) entitled "An act to release to Cora Fehling all the right, title and interest of the people of the State of New York in and to certain real estate situated in the second ward of the borough of Queens, county of Queens, the city and State of New York, acquired by escheat upon the death of Martin N. Connolly," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cohalan | Gilchrist | McCall | Sohmer |
| Agnew | Cullen | Grady | Mullaney | Taylor |
| Allds | Davis | Grattan | O'Neil | Thompson |
| Armstrong | Dunn | Hasenflug | Page | Travis |
| Boyce | Emerson | Heacock | Raines | Tully |
| Burr | Fancher | Hill | Ramsperger | Wemple |
| Carpenter | Foelker | Hooker | Saxe | White |
| Cassidy | Fuller | Knapp | Smith | Wilcox |
| Cobb | Gates | | | |

42

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 309, Int. No. 50) entitled "An act validating and legalizing certain conveyances of real estate to the village of Turin, Lewis county, N. Y., for the purpose of its water supply system," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cohalan | Gilchrist | Knapp | Smith |
| Agnew | Cullen | Grady | McCall | Sohmer |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Fancher | Heacock | Page | Travis |
| Burr | Foelker | Hill | Raines | Tully |
| Carpenter | Fuller | Hinman | Ramsperger | Wemple |
| Cassidy | Gates | Hooker | Saxe | Wilcox |
| Cobb | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 308, Int. No. 10) entitled "An act to amend the Labor Law, relative to the hours of employment of minors in factories," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cohalan | Gilchrist | Knapp | Smith |
| Agnew | Cullen | Grady | McCall | Sohmer |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Page | Tully |
| Carpenter | Foelker | Hill | Raines | Wemple |
| Cassidy | Fuller | Hinman | Ramsperger | White |
| Cobb | Gates | Hooker | Saxe | Wilcox |

40

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 71, Int. No. 71) entitled "An act to create the office of village comptroller of the village of Saratoga Springs, and defining his powers and duties, and to abolish the present office of village comptroller of said village," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|--------|
| Ackroyd | Cobb | Gilchrist | Knapp | Smith |
| Agnew | Cullen | Grady | McCall | Sohmer |
| Allds | Davis | Grattan | O'Neil | Travis |
| Armstrong | Dunn | Hasenflug | Page | Tully |
| Boyce | Fancher | Heacock | Raines | Wemple |
| Burr | Foelker | Hill | Ramsperger | White |
| Carpenter | Fuller | Hinman | Saxe | Wilcox |
| Cassidy | Gates | Hooker | | |

38

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 68, Int. No. 68) entitled "An act to provide for the election of a village president of the village of Saratoga Springs by the electors thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|--------|
| Ackroyd | Cohalan | Grady | Knapp | Saxe |
| Agnew | Cullen | Grattan | McCall | Smith |
| Armstrong | Davis | Hasenflug | Mullaney | Sohmer |
| Boyce | Dunn | Heacock | O'Neil | Tully |
| Burr | Fancher | Hill | Page | Wemple |
| Carpenter | Foelker | Hinman | Raines | White |
| Cassidy | Fuller | Hooker | Ramsperger | Wilcox |
| Cobb | Gates | | | |

37

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 3, Int. No. 3) entitled "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' and the acts amendatory thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|--------|
| Ackroyd | Cohalan | Grattan | Mullaney | Sohmer |
| Agnew | Cullen | Hasenflug | O'Neil | Taylor |
| Boyce | Davis | Heacock | Raines | Wemple |
| Burr | Foelker | Hill | Ramsperger | White |
| Carpenter | Gilchrist | Knapp | Saxe | Wilcox |
| Cassidy | Grady | McCall | Smith | |

29

FOR THE NEGATIVE.

| | | |
|--------|--------|--------|
| Fuller | Hinman | Hooker |
|--------|--------|--------|

3

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 290, Int. No. 111) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial department and the Appellate Division thereof in the First Department,' relative to the appointment of a confidential clerk," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cobb | Fuller | Hinman | Raines |
| Agnew | Cohalan | Gates | Hooker | Ramsperger |
| Allds | Cullen | Gilchrist | Knapp | Saxe |
| Armstrong | Davis | Grady | McCall | Smith |
| Boyce | Dunn | Grattan | McManus | Tully |
| Burr | Fancher | Hasenflug | Mullaney | Wemple |
| Carpenter | Foelker | Heacock | O'Neil | White |
| Cassidy | Franchot | Hill | Page | Wilcox |

40

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 320, Int. No. 254) entitled "An act to amend chapter 469 of the Laws of 1875, entitled 'An act to enable the Buffalo general hospital to change the number of its trustees,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|--------|
| Ackroyd | Cobb | Gates | Hooker | Saxe |
| Agnew | Cohalan | Gilchrist | Knapp | Smith |
| Allds | Cullen | Grady | McCall | Sohmer |
| Armstrong | Davis | Grattan | Mullaney | Travis |
| Boyce | Dunn | Hasenflug | O'Neil | Tully |
| Burr | Foelker | Heacock | Page | Wemple |
| Carpenter | Franchot | Hill | Raines | White |
| Cassidy | Fuller | Hinman | Ramsperger | Wilcox |

40

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 316, Int. No. 289) entitled "An act to transfer a part of Niagara street in the city of Buffalo to the control and jurisdiction of the board of park commissioners of said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cohalan | Gilchrist | Knapp | Smith |
| Agnew | Cullen | Grady | McCall | Taylor |
| Allds | Davis | Grattan | Mullaney | Thompson |
| Armstrong | Dunn | Hasenflug | O'Neil | Travis |
| Boyce | Fancher | Heacock | Page | Tully |
| Burr | Foelker | Hill | Raines | Wemple |
| Carpenter | Frawley | Hinman | Ramsperger | White |
| Cassidy | Gates | Hooker | Saxe | Wilcox |
| Cobb | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, FEBRUARY 8, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. A. Eaton.

The journal of yesterday was read and approved.

Mr. Grady introduced a bill (Int. No. 366) entitled "An act authorizing the audit and allowance of the claim of John J. Scannel against the city of New York, for his costs, counsel fees

and expenses paid in successfully defending himself against certain indictments filed against him during his term of office as fire commissioner in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 367) entitled "An act to provide for the erection of a suitable monument in commemoration of the soldiers of the Seventy-first Regiment, New York State Militia (Seventy-first Regiment, New York State Volunteers Infantry), which retained its formation and designation in the then New York State militia and is now known as the Seventy-first Regiment, New York State National Guard, who were engaged in the battle of Bull Run, State of Virginia, July 21, 1861, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly sent for concurrence the bill (No. 553, Rec. No. 35) entitled "An act to amend the Forest, Fish and Game Law, in relation to nets in the Hudson and Delaware rivers and adjacent waters," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 554, Rec. No. 36) entitled "An act to amend the Forest, Fish and Game Law, in relation to excepting the county of Lewis from the provisions relating to the close season for black bear," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 367, Rec. No. 37) entitled "An act to amend chapter 306 of the Laws of 1899, entitled 'An act to confirm, reduce, levy and provide for the collection by the city of Rensselaer, as the successor of the village of Greenbush, of certain assessments made by the village of Greenbush and to confirm the proceedings had with reference thereto and the issue of bonds thereon,' in relation to the collection of unpaid street paving assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 575, Rec. No. 38) entitled "An act to provide an additional appropriation for common schools and authorizing the apportionment of district quotas to be made in accordance with the provisions of chapter 698 of the Laws of 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 407, Rec. No. 39) entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' in relation to the powers of the board of education," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 22, Rec. No. 40) entitled "An act to provide for the expense of widening Livingston street in the borough of Brooklyn, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 551, Rec. No. 41) entitled "An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie,' relative to the power of said city to take and receive gifts, bequests and devises," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 550, Rec. No. 42), entitled "An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie,' relative to the power of the common council to pass ordinances regarding children and the enforcement thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 555, Rec. No. 43) entitled "An act to amend the Public Health Law, in relation to the retailing of poisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, the bill (No. 552, Rec. No. 44) entitled "An act to amend the Insurance Law, relative to the kinds of insurance that

may be made," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

The Assembly returned the Senate bill (No. 145, Int. No. 142) entitled "An act to legalize the issuing of bonds of the town of Franklin, in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of defraying the expense of filling in and repairing a portion of the highway leading from Loon Lake to Bloomingdale, known as the 'Long Crossway' in said town, and to provide for the payment of the principal and interest thereof," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, FEBRUARY 11, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. W. W. Battershall.

The journal of Friday, February 8th, was read and approved.

Mr. Thompson introduced a bill (Int. No. 368), entitled "An act to amend the Penal Code, in relation to Sunday baseball in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 369) entitled "An act to regulate fares and the transfer of passengers on street surface, elevated and underground railroads in certain cities of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Travis introduced a bill (Int. No. 370) entitled "An act to amend chapter 530 of the Laws of 1904, entitled 'An act to

incorporate the Brooklyn Academy of Music, in the borough of Brooklyn, city of New York,' with respect to its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr Saxe introduced a bill (Int No. 371) entitled "An act to amend chapter 260 of the Laws of 1906, entitled 'An act creating a commission to confer with the Governor and Legislature of the State of New Jersey for the purpose of developing a system of transit between the city of New York and the State of New Jersey,' by enlarging the commission, extending its powers and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Carpenter introduced a bill (Int. No. 372) entitled "An act to amend chapter 176 of the Laws of 1905, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 373) entitled "An act to amend chapter 53 of the Laws of 1906, entitled 'An act to authorize the city of Mount Vernon to issue bonds for the purpose of refunding bonds falling due on or before February 1, 1907, and for which no provision has been made in the sinking fund,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 374) entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners, and to define the powers of the consolidated corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Grattan introduced a bill (Int. No. 375) entitled "An act to amend the Labor Law, relative to hours of labor on street surface and elevated railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Heacock introduced a bill (Int. No. 376) entitled "An act to amend chapter 485 of the Laws of 1887, entitled 'An act to establish a board of police and fire commissioners of the village of Herkimer,' in relation to the compensation of policemen and the chief of police," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Ackroyd introduced a bill (Int. No. 377) entitled "An act to establish a State printing office and to create the office of superintendent of State printing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Cassidy introduced a bill (No. 378) entitled "An act to amend the Tax Law, relative to the taxation of personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 379) entitled "An act to amend sections 220, 221, 222, 240, 241, and 242 of article 10 of chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation,' constituting chapter 24 of the general laws, as amended," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Davis introduced a bill (Int. No. 380) entitled "An act to amend the Executive Law, in relation to the appointment of commissioners of deeds in other States, territories and foreign countries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence the bill (No. 352, Rec. No. 45) entitled "An act to provide that proceedings and applications under chapter 490 of the Laws of 1883, entitled 'An act to provide new reservoirs, dams and a new aqueduct with the appurtenances thereto, for the purpose of supplying the city of New York with an increased supply of pure and wholesome water,' and the acts amendatory thereof and supplemental thereto, shall be taken and made in the Supreme Court in the judicial district in

which the lands affected or acquired are situated," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That there be printed from the original type and plates from which the annual report is printed of the state engineer and surveyor for the year 1905, that portion of the report which includes the "History of the canal system of the state of New York, together with brief histories of the canals of the United States and Canada," 1,000 copies for the use of the state library to permit the placing of one copy in each high school throughout the state and for exchange with other libraries throughout the country; also ten copies for each of the members of the legislature.

Ordered, That said resolution be referred to the committee on finance.

Mr. Agnew, from the committee on engrossed bills, reported as correctly printed and engrossed, the Senate bill (No. 276, Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, N. Y."

Also, Senate bill (No. 277, Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, N. Y."

Also, Senate bill (No. 344, Int. No. 153) entitled "An act to amend chapter 213 of the Laws of 1904, entitled 'An act to make the office of county clerk of Orange county a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to the fees of such clerk."

Also, Senate bill (No. 261, Int. No. 249) entitled "An act to amend section 4 of title 15 of chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' as amended by chapter 302 of the Laws of 1885, as amended by chapter 91 of the Laws of 1903, relative to the superintendent of the almshouse."

The Senate bill (No. 344, Int. No. 153) entitled "An act to amend chapter 213 of the Laws of 1904, entitled 'An act to make the office of county clerk of Orange county a salaried office and

regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to the fees of such clerk," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | Mullaney | Sullivan |
| Agnew | Dunn | Grady | O'Neil | Taylor |
| Armstrong | Emerson | Grattan | Owens | Thompson |
| Boyce | Fancher | Harte | Page | Travis |
| Burr | Foelker | Hasenflug | Raines | Tully |
| Carpenter | Franchot | Heacock | Ramsperger | Wemple |
| Cassidy | Frawley | Hill | Saxe | White |
| Cobb | Fuller | McCall | Sohmer | Wilcox |
| Cullen | Gates | McCarren | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 277, Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, N. Y.," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | McCarren | Sullivan |
| Agnew | Dunn | Grady | Mullaney | Taylor |
| Armstrong | Emerson | Grattan | O'Neil | Thompson |
| Boyce | Fancher | Harte | Owens | Travis |
| Burr | Foelker | Hasenflug | Page | Tully |
| Carpenter | Franchot | Heacock | Raines | Wemple |
| Cassidy | Frawley | Hill | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cullen | Gates | McCall | Sohmer | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 276, Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, N. Y.," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | McCarren | Sullivan |
| Agnew | Dunn | Grady | Mullaney | Taylor |
| Armstrong | Emerson | Grattan | O'Neil | Thompson |
| Boyce | Fancher | Harte | Owens | Travis |
| Burr | Foelker | Hasenflug | Page | Tully |
| Carpenter | Franchot | Heacock | Raines | Wemple |
| Cassidy | Frawley | Hill | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cullen | Gates | McCall | Sohmer | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 261, Int. No. 249) entitled "An act to amend section 4 of title 15 of chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' as amended by chapter 302 of the Laws of 1885, as amended by chapter 91 of the Laws of 1903, relative to the superintendent of the almshouse," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | McCarren | Sullivan |
| Agnew | Dunn | Grady | Mullaney | Taylor |
| Armstrong | Emerson | Grattan | O'Neil | Thompson |
| Boyce | Fancher | Harte | Owens | Travis |
| Burr | Foelker | Hasenflug | Page | Tully |
| Carpenter | Franchot | Heacock | Raines | Wemple |
| Cassidy | Frawley | Hill | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cullen | Gates | McCall | Sohmer | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The President presented a communication from the board of aldermen of the city of New York, which was referred to the committee on codes.

The President presented the report of the New York Interstate Bridge Commission, which was laid upon the table and ordered printed.

(See Document.)

The President presented the report of the Brooklyn Society for the Prevention of Cruelty to Children, which was laid upon the table and ordered printed.

(See Document.)

The President presented the report of the New York Society for the Prevention of Cruelty to Children, which was laid upon the table and ordered printed.

(See Document.)

The President presented the report of the State Board of Charities, which was laid upon the table and ordered printed.

(See Document.)

The President presented a memorial of the Chamber of Commerce of the State of New York, which was laid upon the table and ordered printed.

(See Document.)

The Senate bill (No. 361, Int. No. 55) entitled "An act to amend section 258 of the Code of Civil Procedure, relating to the appointment of stenographers for the Supreme Court so as to permit the appointment of one additional stenographer in the seventh and eighth judicial districts," having been announced for a third reading, Mr. Tully moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith amended as follows:

Page 2, line 3, strike out the word "districts" and insert the word "districts" with final letter "s" italicized and title amended to read as follows: "An act to amend section two hundred and fifty-eight of the code of civil procedure relating to the appointment of stenographers for the supreme court so as to permit the appointment of additional stenographers in the seventh and eighth judicial districts."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 237, Int. No. 228) entitled "An act to amend chapter 225 of the Laws of 1901, entitled 'An act to incorporate the city of Oneida,' in relation to sewers," having been announced for a third reading, Mr. Gates moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith amended as follows:

Page 10, line 5, strike out the word "from" and insert the word "for."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, FEBRUARY 12, 1907.

The Senate met pursuant to adjournment.

The temporary President in the chair.

Prayer by Rev. J. A. Jones.

The journal of yesterday was read and approved.

Mr. McCarren introduced a bill (Int. No. 381) entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property abutting upon Manhattan avenue adjacent to Newtown creek,

borough of Brooklyn, in the city of New York, by reason of the construction of the bridge over Newtown creek, between Manhattan avenue in the borough of Brooklyn and Vernon avenue in the borough of Queens, and the approaches thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 382) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, audit and pay the claim of the Kelly Asphalt Block Company for repaving Broadway, from Havemeyer street to Lafayette avenue, in the borough of Brooklyn, of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 383) entitled "An act to require the construction of an elevated railroad station between One Hundred and Twentieth Street and One Hundred and Twenty-first street on Eighth avenue, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 384) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to inquire into, audit and allow the claim of the Brooklyn Heights Railroad Company for work, labor, services, material and supplies furnished under the request, order or direction of the bridge department of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 385) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' in reference to the maintenance and care of public libraries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 386) entitled "An act to amend section 2 of title 7 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' and the several acts amendatory thereof and supplemental thereto, relating to high-

ways, lamps, walks and streets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 387) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' relative to street pavements and improvements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Smith introduced a bill (Int. No. 388) entitled "An act to amend the Insurance Law to permit mutual fire insurance companies or associations of other States to do business within this State; to regulate the business done by them; to tax the same; and to prohibit the insuring of property located in this State in unauthorized companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Grattan introduced a bill (Int. No. 389) entitled "An act to amend the Liquor Tax Law, relative to places in which traffic in liquor shall not be permitted," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. O'Neil introduced a bill (Int. No. 390) entitled "An act to amend the Election Law, in relation to changing election districts in certain counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ackroyd introduced a bill (Int. No. 391) entitled "An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' relative to revising several sections of said charter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hill introduced a bill (Int. No. 392) entitled "An act to provide for the establishment of a county lodging-house in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Davis introduced a bill (Int. No. 393) entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' as amended by chapter 379 of the Laws of 1897, chapter 675 of the Laws of 1898, chapter 630 of the Laws of 1899, chapter 95 of the Laws of 1901, and chapter 70 of the Laws of 1904, relating to the appointment of election officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence the bill (No. 435, Rec. No. 46) entitled "An act to legalize and confirm the organization and existence of union free school district No. 4 of the town of Greece, and to legalize and confirm all proceedings of the board of education and legal voters of such union free school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 524, Rec. No. 47) entitled "An act to amend the Code of Civil Procedure, in reference to stenographers in the Supreme Court in the county of Kings," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McCarren, and by unanimous consent, said bill was substituted for Senate bill (No. 362, Int. No. 240), now on the order of third reading.

Also, the bill (No. 558, Rec. No. 48) entitled "An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 490, Rec. No. 49) entitled "An act to establish a ferry from the highway adjacent to the farm of George H. Huber, in the county of Essex, across Lake Champlain," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, the bill (No. 12, Rec. No. 50) entitled "An act to abolish and remove Kings county potter's field situated in Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 280, Rec. No. 51) entitled "An act to amend the County Law, in relation to authorizing towns to borrow money," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Burr, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on internal affairs of towns and counties, retaining its place on the order of third reading.

Also, the bill (No. 244, Rec. No. 52) entitled "An act to amend the Forest, Fish and Game Law, relative to penalties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 18, Rec. No. 53) entitled "An act to amend the Greater New York charter, in relation to appropriations in the Brooklyn Institute of Arts and Sciences," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Travis, and by unanimous consent, said bill was substituted for Senate bill (No. 365, Int. No. 21), now in the committee of the whole.

Also, the bill (No. 37, Rec. No. 54) entitled "An act to establish a retirement fund for teachers, superintendent of schools, principals and supervisors of the public schools in the city of Albany, and to regulate the collection, management and disbursement thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 545, Rec. No. 55) entitled "An act to reduce the rate of ferriage on the ferry known as the South Brooklyn or Thirty-ninth street ferry, plying between the foot of Whitehall street in the borough of Manhattan and Thirty-ninth street in the borough of Brooklyn, and to establish a rate of ferriage

thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, the bill (No. 380, Rec. No. 56) entitled "An act to amend the Highway Law, in relation to poll taxes in towns under the money system," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 333, Rec. No. 57) entitled "An act to authorize the board of supervisors of the county of Saratoga to acquire the real property, rights and franchise of the Saratoga Lake Bridge Company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, said bill was substituted for Senate bill (No. 208, Int. No. 201), now in the committee of the whole.

The Senate bill (No. 343, Int. No. 37) entitled "An act to amend the Code of Civil Procedure, in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard," having been announced for a third reading, Mr. Cassidy moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith amended as follows:

Page 10, line 8, strike out the word "immediately," and insert the words "September first, nineteen hundred and seven."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Gilchrist moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith amended as follows:

Page 3, after line 5, insert the words following: "For the purpose of this subdivision the value of the interest of the infant or incompetent person in the possibility of reverter shall be computed, fixed and determined as though the real property in question had actually reverted to such infant or incompetent person."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|---------|---------|-----------|----------|------------|----|
| Ackroyd | Cohalan | Fuller | McCall | Ramsperger | |
| Boyce | Cullen | Gilchrist | Mullaney | Thompson | |
| Cassidy | Foelker | Hasenflug | Owens | Travis | 15 |

FOR THE NEGATIVE.

| | | | | | |
|-----------|---------|----------|--------|--------|----|
| Agnew | Dunn | Hill | O'Neil | Tully | |
| Armstrong | Fancher | Hinman | Page | Wemple | |
| Carpenter | Gates | Hooker | Raines | White | |
| Cordts | Grady | Knapp | Saxe | Wilcox | |
| Davis | Grattan | McCarren | Sohmer | | 24 |

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|---------|----------|----------|--------|----|
| Ackroyd | Cullen | Grattan | Mullaney | Travis | |
| Agnew | Davis | Hill | O'Neil | Tully | |
| Armstrong | Dunn | Hinman | Page | Wemple | |
| Carpenter | Fancher | Hooker | Raines | White | |
| Cohalan | Foelker | Knapp | Saxe | Wilcox | |
| Cordts | Gates | McCarren | Sohmer | | 29 |

FOR THE NEGATIVE.

| | | | | | |
|---------|-----------|---------|------------|----------|---|
| Cassidy | Gilchrist | McCall | Owens | Thompson | |
| Fuller | Hasenflug | McManus | Ramsperger | | 9 |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The hour of 12 o'clock having arrived, the President announced that, pursuant to law and agreeably to a resolution heretofore adopted, the Senate would proceed to nominate a candidate for the office of regent of the University in the place of William Nottingham, of the city of Syracuse, county of Onondaga, in the fifth judicial district, whose term of office is about to expire.

Whereupon, the following Senators, as their names were called by the Clerk, arose in their places and nominated as follows:

FOR WILLIAM NOTTINGHAM.

| | | | | | |
|-----------|-----------|---------|--------|--------|----|
| Agnew | Davis | Grattan | O'Neil | Travis | |
| Armstrong | Dunn | Heacock | Page | Tully | |
| Burr | Fancher | Hill | Raines | Wemple | |
| Carpenter | Foelker | Hinman | Saxe | White | |
| Cassidy | Gates | Hooker | Smith | Wilcox | |
| Cordts | Gilchrist | Knapp | | | 28 |

FOR AMASA J. PARKER.

| | | | | | |
|---------|--------|-----------|----------|------------|----|
| Ackroyd | Cullen | Hasenflug | McManus | Ramsperger | |
| Boyce | Fuller | McCall | Mullaney | Sohmer | |
| Cohalan | Grady | McCarren | Owens | Thompson | 15 |

A quorum having voted, and a majority having nominated William Nottingham, the President announced that William Nottingham, of the city of Syracuse and county of Onondaga, in the fifth judicial district, had been duly nominated as Regent of the University to succeed himself.

The Assembly bill (No. 524, Rec. No. 47) entitled "An act to amend the Code of Civil Procedure, in reference to stenographers in the Supreme Court in the county of Kings," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|-----------|-----------|------------|----------|----|
| Ackroyd | Davis | Grattan | McCarren | Smith | |
| Agnew | Dunn | Hasenflug | Mullaney | Sohmer | |
| Armstrong | Fancher | Heacock | O'Neil | Thompson | |
| Boyce | Foelker | Hill | Owens | Travis | |
| Cassidy | Fuller | Hinman | Page | Tully | |
| Cohalan | Gates | Hooker | Raines | Wemple | |
| Cordts | Gilchrist | Knapp | Ramsperger | White | |
| Cullen | Grady | McCall | Saxe | Wilcox | 40 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

Mr. Cullen moved that the committee on internal affairs of towns and counties be discharged from the consideration of Senate bill (No. 269, Int. No. 256) entitled "An act to amend section 1 of chapter 438 of the Laws of 1897, in relation to the office of the district attorney of the county of Kings," and that said bill be amended, reprinted and recommitted to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Saxe moved that the committee on taxation and retrenchment be discharged from the consideration of Senate bill (No. 270, Int. No. 257) entitled "An act to amend section 202 of the Tax Law, to relieve local assessors from the duty of assessing property of trust companies which is not locally taxable," and that said bill be amended, reprinted and recommitted to the committee on taxation and retrenchment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 274, Int. No. 261), entitled "An act to amend the Village Law, in relation to street improvement."

(2) Senate (No. 364, Int. No. 24), entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to compensation of commissioners taking depositions."

(3) Senate (No. 84, Int. No. 84), entitled "An act to authorize the erection of a fireproof children's museum building in the borough of Brooklyn, city of New York, in place of the present building, and the designation or acquisition of a site therefor, and to provide for the care and maintenance of the same."

(4) Assembly (No. 18, Rec. No. 53), entitled "An act to amend the Greater New York charter, in relation to appropriations in the Brooklyn Institute of Arts and Sciences."

(5) Senate (No. 366, Int. No. 234), entitled "An act to provide for the payment of the claim of Robert E. Jones for furnishing work, labor, services and materials in the repair of the fire alarm system in the fifth ward of the borough of Queens in the city of New York."

(6) Senate (No. 367, Int. No. 149), entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' known as the Municipal Court Act, with reference to the opening of defaults or dismissals, vacating judgments, and final orders."

(7) Senate (No. 368, Int. No. 129), entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the duties and powers of clerks."

(8) Senate (No. 369, Int. No. 130), entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to fees payable to clerks."

(9) Senate (No. 59, Int. No. 59), entitled "An act to amend the County Law, relative to the appointment of assistant district attorneys in the county of Queens."

(10) Assembly (No. 333, Rec. No. 32), entitled "An act to authorize the board of supervisors of the county of Saratoga to acquire the real property, rights and franchise of the Saratoga Lake Bridge Company."

(11) Senate (No. 275, Int. No. 262), entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to the boundaries of the several wards of the city of Schenectady and to increasing the number thereof and defining the boundaries thereof, and election of ward officers and appointing of election officers."

After some time spent therein, the President resumed the chair, and Mr. Hinman, from the committee, reported in favor of the passage of the above-named bills, which report was agreed to and said bills ordered to a third reading.

The Assembly returned the Senate bill (No. 107, Int. No. 16) entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' authorizing it to issue its bonds for the construction of sewers."

Also, Senate bill (No. 188, Int. No. 181) entitled "An act to permit the electors of the towns of Vernon and New Hartford, in the county of Oneida, to vote upon the proposition to make the charge of 15 per centum of cost of roads already improved in said towns, under chapter 115 of the Laws of 1898, a town charge instead of a charge upon abutting owners," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, FEBRUARY 13, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. B. J. Hotaling. .

The journal of yesterday was read and approved.

The Governor, at the hands of his Secretary, transmitted to the Senate a message in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, *February 13, 1907.*

To the Legislature:

It is with deep sorrow that I announce the death at Olean on February 12th of

FRANK WAYLAND HIGGINS,

recently Governor of this State.

His public career and the distinguished services rendered by him to the State are fresh in your memory. For eight consecutive years he sat in the Senate and by the nobility of his character, his sagacity, and his conscientiousness in the discharge of every duty he won the friendship and high esteem of all his colleagues regardless of party affiliations. Later, as Lieutenant-Governor, he presided over the deliberations of the Senate with dignity and impartiality. His administration as Governor was characterized by honesty of purpose and by painstaking fidelity, and was made notable by the achievement of most important reforms. As his health failed he continued his work without flinching, counting no personal sacrifice too great which would enable him to perform his duty. No soldier on the battle field ever exhibited greater heroism than was his when, at the peril of his life, he made his last public appearance to discharge what he conceived to be his public duty on the occasion of his successor's inauguration.

He was a man of the highest integrity and he has left to the people of the State the precious memory of a character without blemish.

In recognition of his services I have ordered that the flags upon the public buildings be displayed at half mast, and I recommend such further action by the Legislature as may be deemed appropriate.

CHARLES E. HUGHES.

Mr. Fancher moved that out of respect to the memory of ex-Governor Higgins the Senate stand in recess until eleven-fifty o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative by a rising vote.

ELEVEN O'CLOCK AND FIFTY MINUTES.

The Senate again met.

Mr. Page offered the following:

Resolved, That a committee of two be appointed to wait upon the Assembly and inform that body that the Senate is ready to meet in joint assembly for the purpose of comparing nominations for the office of a regent of the University in the place of William Nottingham, whose term of office is about to expire.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee Messrs. Page and McManus.

The above-named committee returned and reported that they had performed that duty.

Messrs. Moreland and Oliver, a committee from the Assembly, appeared in the Senate chamber and announced that the Assembly was ready to receive the Senate in joint assembly for the purpose of comparing nominations for the office of Regent of the University.

The President then left the chair, and with the Senate proceeded to the Assembly chamber, and upon comparing nominations for a Regent of the University the Senate and Assembly were found to have agreed.

Upon returning to the Senate chamber, the President announced that William Nottingham of the city of Syracuse, county of Onondaga, fifth judicial district, had been duly elected Regent of the University to succeed himself.

Mr. Raines moved that, out of respect to the memory of former Governor Higgins, the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative by a rising vote.

Whereupon, the Senate adjourned.

THURSDAY, FEBRUARY 14. 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. John Laubenheimer.

The journal of yesterday was read and approved.

Mr. Raines offered the following:

Whereas, The announcement of the death of Francis Wayland Higgins, late Governor of the State, has occasioned deep sorrow to all citizens, and especially to the members of the Legislature, in which body, as a member of the Senate, and also as its presiding officer, he had long rendered most faithful and acceptable service; be it

Resolved (if the Assembly concur), That a joint committee of the Senate and Assembly, consisting of sixteen Senators, including the Temporary President of the Senate, and nineteen members of the Assembly, including the Speaker of the Assembly, be appointed by the President of the Senate and the Speaker of the Assembly respectively, to represent the Legislature at the funeral of ex-Governor Higgins. It is further

Resolved (if the Assembly concur), That a committee of five Senators and nine members of the Assembly be appointed by the President of the Senate and the Speaker of the Assembly respectively, to prepare suitable resolutions, and to arrange for appropriate public memorial exercises in commemoration of the life and services of Governor Higgins. It is further

Resolved (if the Assembly concur), That out of respect to the memory of the deceased, no session of the Legislature shall be held on Friday, February 15th, but that when the Legislature adjourns today, it be to meet on Monday evening, February 18th, at 8.30 o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative by a rising vote.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned said resolution, with a message that they had concurred in the passage of the same.

The President appointed as the committee to attend the funeral Senators Raines, Grady, White, Davis, McCarren, Wilcox, Armstrong, Cullen, Hill, Fancher, Ramsperger, Allds, Tully, Frawley, Gates and Boyce.

The Speaker appointed as such committee on the part of the Assembly Messrs. Wadsworth, Moreland, Phillips, Rogers, Patton, Hammond, Dowling, Burnett, Prentice, Volk, Mills, Averill, Allen, Hamilton, Burns, Hackett, Burzinski, A. E. Smith and J. A. Foley.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, FEBRUARY 18, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. R. H. Nelson.

The journal of Thursday, February 14th, was read and approved.

Mr. Harte introduced a bill (Int. No. 394) entitled "An act to amend the Greater New York charter, relative to the department of taxes and assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 395) entitled "An act to amend the Greater New York charter, relative to extension of paid fire department," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 396) entitled "An act to amend the Greater New York charter, relative to clerks and assistant clerks of the Municipal Court in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cullen introduced a bill (Int. No. 397) entitled "An act to provide for the payment of the claim of Henry Yonge and Thomas F. Donnelly for legal services performed by them in the matter of the investigation conducted before Hon. Edward M. Grout, comptroller of New York city, pursuant to section 149 of the New York city charter, as to the justness of certain claims presented by the New York Edison Company for supplying electric light to the public buildings in the boroughs of Manhattan and the Bronx and also lighting the streets in the same boroughs from the 1st day of January, 1903, to the 10th day of March, 1904, and also as to the justness of certain claims presented by the Consolidated Gas Company for supplying gas, lamp lighting and gaslight to public buildings in the borough of Manhattan from the 1st day of January, 1903, to the 15th day of March, 1904," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Foelker introduced a bill (Int. No. 398) entitled "An act to amend section 56 of the Banking Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, a bill (Int. No. 399) entitled "An act to repeal chapter 237 of the Laws of 1882, entitled 'An act in relation to advances of money upon warehouse receipts, bills of lading, certificates of stock, certificates of deposit and other negotiable instruments,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 400) entitled "An act to provide for the fees to be charged in the office of the register of the county of Kings," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 401) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof, in the First Department,' as amended by chapter 379 of the Laws of 1898 and by chapter 374 of the Laws of 1899 and by chapter 654 of the Laws of 1900 and by chapter 643 of the Laws of 1906, in relation to the duty and compensation of clerks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Thompson introduced a bill (Int. No. 402) entitled "An act to prohibit sheriffs and other officers from allowing prisoners in city, county, town or village jails to perform clerical work," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 403) entitled "An act to require the opening of certain streets in the borough of Brooklyn, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarren introduced a bill (Int. No. 404) entitled "An act to amend section 1317 of the Code of Civil Procedure, relative to new trials," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Sohmer introduced a bill (Int. No. 405) entitled "An act to prohibit from using more than one stopcock on each gaspipe in use for consuming illuminating gas," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

Also, a bill (Int. No. 406) entitled "An act to amend the Greater New York charter, relative to hours of duty of firemen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

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Also, a bill (Int. No. 396) entitled "An act to amend the Greater New York charter, relative to clerks and assistant clerks of the Municipal Court in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cullen introduced a bill (Int. No. 397) entitled "An act to provide for the payment of the claim of Henry Yonge and Thomas F. Donnelly for legal services performed by them in the matter of the investigation conducted before Hon. Edward M. Grout, comptroller of New York city, pursuant to section 149 of the New York city charter, as to the justness of certain claims presented by the New York Edison Company for supplying electric light to the public buildings in the boroughs of Manhattan and the Bronx and also lighting the streets in the same boroughs from the 1st day of January, 1903, to the 10th day of March, 1904, and also as to the justness of certain claims presented by the Consolidated Gas Company for supplying gas, lamp lighting and gaslight to public buildings in the borough of Manhattan from the 1st day of January, 1903, to the 15th day of March, 1904," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Foelker introduced a bill (Int. No. 398) entitled "An act to amend section 56 of the Banking Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, a bill (Int. No. 399) entitled "An act to repeal chapter 237 of the Laws of 1882, entitled 'An act in relation to advances of money upon warehouse receipts, bills of lading, certificates of stock, certificates of deposit and other negotiable instruments,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 400) entitled "An act to provide for the fees to be charged in the office of the register of the county of Kings," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 401) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof, in the First Department,' as amended by chapter 379 of the Laws of 1898 and by chapter 374 of the Laws of 1899 and by chapter 654 of the Laws of 1900 and by chapter 643 of the Laws of 1906, in relation to the duty and compensation of clerks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Thompson introduced a bill (Int. No. 402) entitled "An act to prohibit sheriffs and other officers from allowing prisoners in city, county, town or village jails to perform clerical work," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 403) entitled "An act to require the opening of certain streets in the borough of Brooklyn, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

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Also, a bill (Int. No. 406) entitled "An act to amend the Greater New York charter, relative to hours of duty of firemen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

to provide means to defray the expense thereof and to sell or dispose of the ruins of the former court house situate in Hudson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Allds introduced a bill (Int. No. 420) entitled "An act to amend sections 182, 184, 186, 190 and 195 of the Tax Law, in relation to the taxation of corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Grattan introduced a bill (Int. No. 421) entitled "An act to confer jurisdiction upon the Court of Claims to hear and determine the alleged claim of Mary J. Dufort against the State for damages alleged to have been sustained by her and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. O'Neil introduced a bill (Int. No. 422) entitled "An act to amend an act entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' relative to examinations of milk and cream for the butter fat contained therein and to issuing licenses to applicants for making such tests," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Cobb introduced a bill (Int. No. 423) entitled "An act to amend section 3 of article 1 of the Forest, Fish and Game Law, with reference to the close season for deer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 424) entitled "An act to amend the Consolidated School Law, relative to qualification of voters," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, a bill (Int. No. 425) entitled "An act to appropriate the sum of \$5,000 for the removal of obstructions from and improving the navigation of Indian river," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Wilcox introduced a bill (Int. No. 426) entitled "An act providing for the appointment of a county attorney for the county of Cayuga, defining the duties and fixing the term and salary of such office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Hill introduced a bill (Int. No. 427) entitled "An act to amend chapter 203 of the Laws of 1906, entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of extending and improving the supply of water to the city and its inhabitants,' in relation to rate of interest on said bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Ramsperger introduced a bill (Int. No. 428) entitled "An act to amend chapter 414 of the Laws of 1901, entitled 'An act for the incorporation of Der Bayerische National-Verband von Nord-Amerika,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Davis introduced a bill (Int. No. 429) entitled "An act to amend the Election Law, as amended by chapters 95 and 232 of the Laws of 1901 and chapter 643 of the Laws of 1905, relating to notices of election," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Burr introduced a bill (Int. No. 430) entitled "An act to amend the Railroad Law, in relation to the consents of local authorities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The Assembly sent for concurrence the bill (No. 465, Rec. No. 58) entitled "An act to amend the Public Health Law, in relation to pharmacists," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, the bill (No. 464, Rec. No. 59) entitled "An act to amend

chapter 188 of the Laws of 1862, entitled 'An act to incorporate the New York State Convention of Universalists,' generally, and by repealing section 6 thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 618, Rec. No. 60) entitled "An act to amend the Code of Civil Procedure, relative to the clerk and deputy clerk of a surrogate's court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 619, Rec. No. 61) entitled "An act to amend the Forest, Fish and Game Law, in relation to definitions and construction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 600, Rec. No. 62) entitled "An act to amend chapter 593 of the Laws of 1905, entitled 'An act to revise the charter of the city of Johnstown,' relative to the salary of the superintendent of water works and the collection of water rents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 171, Rec. No. 63) entitled "An act to amend chapter 117 of the Laws of 1897, entitled 'An act to make the office of sheriff of Washington county a salaried office and regulating the management of said office,' in relation to the salary of under-sheriff," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 265, Rec. No. 64) entitled "An act to amend chapter 659 of the Laws of 1905, entitled 'An act to provide for the erection of a new high school in the city of Syracuse,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 536, Rec. No. 65) entitled "An act to amend chapter 490 of the Laws of 1902, entitled 'An act to make the office of sheriff of Monroe county a salaried office in part and regulating the management of said office,' in relation to the deputy

sheriffs, and the amount to be appropriated by board of supervisors for salaries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 84, Int. No. 84) entitled "An act to authorize the erection of a fireproof children's museum building in the borough of Brooklyn, city of New York, in place of the present building, and the designation or acquisition of a site therefor, and to provide for the care and maintenance of the same."

Also, Senate bill (No. 369, Int. No. 130) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to fees payable to clerks."

Also, Senate bill (No. 367, Int. No. 149) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals, vacating judgments and final orders."

Also, Senate bill (No. 360, Int. No. 235) entitled "An act to amend the Code of Civil Procedure, relative to fees of grand and trial jurors in certain counties."

Also, Senate bill (No. 364, Int. No. 24) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, in relation to compensation of commissioners taking depositions.'"

Also, Senate bill (No. 366, Int. No. 234) entitled "An act to provide for the payment of the claim of Robert E. Jones for furnishing work, labor, services and materials in the repair of the fire alarm system in the fifth ward of the borough of Queens in the city of New York."

Also, Senate bill (No. 362, Int. No. 240) entitled "An act to amend the Code of Civil Procedure, in reference to stenographers in the Supreme Court in the county of Kings."

Also, Senate bill (No. 343, Int. No. 37) entitled "An act to amend the Code of Civil Procedure, in relation to the disposition

of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard."

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 82, Int. No. 82), entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into the claim of the Donlon Contracting Company against the city of New York for cleaning the brick sewers of the borough of Brooklyn in the city of New York, and to provide for the payment thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Saxe (No. 191, Int. No. 184), entitled "An act to amend the Greater New York charter, in relation to conferring additional powers and jurisdiction upon the park board and the commissioner of parks for the boroughs of Manhattan and Richmond," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grady (No. 215, Int. No. 208), entitled "An act in relation to the use and occupancy of the hall of records in the county of New York," reported the same to the Senate with amendments.

On motion of Mr. White, and by unanimous consent, it was ordered that said bill be printed and recommitted to the said committee.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 77, Int. No. 77), entitled "An act to authorize the board of estimate and apportionment of the city of New York, to hear, determine, audit and allow the alleged claim of John W. Carpenter for services alleged to have been rendered between the 1st day of January, 1900, and the 1st day of October, 1900, inclusive, as clerk of the Municipal Court of said city in the third district

of the borough of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Foelker (No. 227, Int. No. 218), entitled "An act to amend an act entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, being chapter 580 of the Laws of 1902,' to authorize the formation of an appellate term in the second judicial department, to appoint clerks and attendants, and to provide for the expenses thereof," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Harte (No. 286, Int. No. 272), entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit, and allow the claims of James T. Ellet and Frank Miller, for compensation for services rendered as secretary and watchman, respectively, to the Richmond county park commissioners," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Foelker (No. 251, Int. No. 239), entitled "An act to amend section 58 of the charter of the city of New York, known as chapter 466 of the Laws of 1901, for the purpose of requiring commissioners of deeds of the city of New York to file their signatures in the offices of the registers of counties within the said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No. 387, Int. No. 344), entitled "An act to amend section 6 of title 3 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the ap-

pointment of additional help in the office of the city clerk," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hinman (No. 399, Int. No. 356), entitled "An act to amend chapter 160 of the Laws of 1900, entitled 'An act to incorporate the city of Cortland,' relative to revising and adding to certain sections of the charter," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 97, Int. No. 97), entitled "An act to create and establish a fireman's relief and pension fund for the fire department of the city of Utica, and authorizing the granting and payment of pensions and relief to the officers and members of said department entitled thereto," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ackroyd, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fuller (No. 230, Int. No. 221), entitled "An act to permit the board of estimate and apportionment of the city of New York to place a portion of Lincoln road in the borough of Brooklyn under the care, custody, control and maintenance of the department of parks of the city of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Fuller, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Northrup (No. 551, Rec. No. 41), entitled "An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie,' relative to the power of said city to take and receive gifts, bequests and devises," reported in favor of the

passage of the same with amendments, which report was agreed to.

On motion of Mr. Smith, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Northrup (No. 550, Rec. No. 42), entitled "An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie,' relative to the power of the common council to pass ordinances regarding children and the enforcement thereof," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Smith, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 22, Rec. No. 40), entitled "An act to provide for the expense of widening Livingston street in the borough of Brooklyn, city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Hill (No. 247, Int. No. 255), entitled "An act to amend the Code of Civil Procedure, in relation to the appointment of special deputy clerks," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Hill (No. 315, Int. No. 288), entitled "An act to amend section 523 of the Code of Criminal Procedure, relative to service of notice of appeal when judgment is of death," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Davis (No. 105, Int. No. 105), entitled "An act to amend an act entitled 'An act to extend the time within which the International Railway Company

and the Crosstown Street Railway of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation,' " reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Heacock (No. 48, Int. No. 48), entitled "An act to amend the Railroad Law, relative to the transportation of freight," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Senate bill (No. 369, Int. No. 130) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers, and marshals,' relative to fees payable to clerks," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Smith |
| Agnew | Cullen | Gilchrist | McManus | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Thompson |
| Burr | Fancher | Hasenflug | Page | Travis |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | Fuller | Knapp | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 367, Int. No. 149) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation of the Municipal Court of the city of New York, its officers

and marshals,' with reference to the opening of defaults or dismissals, vacating judgments and final orders," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Smith |
| Agnew | Cullen | Gilchrist | McManus | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Thompson |
| Burr | Fancher | Hasenflug | Page | Travis |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | Fuller | Knapp | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 366, Int. No. 234) entitled "An act to provide for the payment of the claim of Robert E. Jones for furnishing work, labor, services and materials in the repair of the fire alarm system in the fifth ward of the borough of Queens in the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Smith |
| Agnew | Cullen | Gilchrist | McManus | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Thompson |
| Burr | Fancher | Hasenflug | Page | Travis |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | Fuller | Knapp | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 18, Rec. No. 53) entitled "An act to amend the Greater New York charter, in relation to appropriations in the Brooklyn Institute of Arts and Sciences," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Smith |
| Agnew | Cullen | Gilobrist | McManus | Sohmer |
| Alds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Thompson |
| Burr | Fancher | Hasenflug | Page | Travis |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | Fuller | Knapp | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 84, Int. No. 84) entitled "An act to authorize the erection of a fireproof children's museum building in the borough of Brooklyn, city of New York, in place of the present building, and the designation or acquisition of a site therefor, and to provide for the care and maintenance of the same," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Smith |
| Agnew | Cullen | Gilchrist | McManus | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Thompson |
| Burr | Fancher | Hasenflug | Page | Travis |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | Fuller | Knapp | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 364, Int. No. 24) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to compensation of commissioners taking depositions," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Smith |
| Agnew | Cullen | Gilchrist | McManus | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Thompson |
| Burr | Fancher | Hasenflug | Page | Travis |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | Fuller | Knapp | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 360, Int. No. 235) entitled "An act to amend the Code of Civil Procedure, relative to fees of grand and trial jurors in certain counties," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Smith |
| Agnew | Cullen | Gilchrist | McManus | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Thompson |
| Burr | Fancher | Hasenflug | Page | Travis |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | Fuller | Knapp | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 333, Rec. No. 57) entitled "An act to authorize the board of supervisors of the county of Saratoga to acquire the real property, rights and franchise of the Saratoga Lake Bridge Company," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Smith |
| Agnew | Cullen | Gilchrist | McManus | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Dunn | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Thompson |
| Burr | Fancher | Hasenflug | Page | Travis |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | Fuller | Knapp | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 59, Int. No. 59) entitled "An act to amend the County Law, relative to the appointment of assistant district attorneys in the county of Queens," having been announced for third reading,

Mr. Harte moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, lines 6, 7, 8 and 9, and page 2, line 1, strike out the word "by" in each.

Page 2, line 3, after the word "four" insert the words "and chapter three hundred and eighty of the laws of nineteen hundred and four."

Page 2, lines 4, 5 and 6 the words printed in italics to be printed in Roman.

Page 2, line 8, print the word "Queens" in italics.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

In accordance with a concurrent resolution of the Senate and Assembly heretofore adopted, the President of the Senate appointed as the committee on the part of the Senate to arrange for memorial exercises in honor of the late Frank Wayland Higgins, former Governor of this State, Senators White, Fancher, Tully, Ramsperger and Frawley.

The Speaker appointed as such committee on the part of the Assembly, Messrs. Phillips, Burnett, Patton, Mead, Wainwright, Volk, Hackett, Farrell and Burzynski.

Mr. Cobb moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 123, Int. No. 121) entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses," and that said bill be amended, reprinted and recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Harte moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 345, Int. No. 236) entitled "An act to provide for the payment of the claim of John M. Phillips, for work and material furnished the bureau of highways of the borough of Queens, the city of New York,

during the year of 1903," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Raines presented the following communication, which upon motion of Mr. Raines, and by unanimous consent, was ordered spread upon the journal, viz.:

PORTAGE, N. Y., *February 16, 1907.*

To the Hon. JOHN RAINES,

Temporary President of the Senate, Albany, N. Y.:

DEAR SIR.—I am in receipt from the office of the Secretary of State of a certified copy of a concurrent resolution of the Senate and the Assembly relating to the naming of Letchworth Park. I venture to ask that you will do me the favor to assure the members of the Senate my grateful appreciation of the distinguished honor conferred upon me by the Legislature of the State of New York in the passage of this resolution.

I have the honor to be,

Yours with great respect,

WM. PRYOR LETCHWORTH.

Mr. Cobb offered the following:

Whereas, The subject of highway improvement has become one of the important questions engaging the attention of the people of this State; and,

Whereas, A divergence of opinion exists as to the methods and means by which the same shall be carried on, and the proportion of expense which the State, counties and towns shall respectively bear; and,

Whereas, There is a widespread feeling in the agricultural sections of the State that the roads as now being constructed are too expensive, the cost thereof practically prohibiting the construction of the same to any extent in a majority of the towns in the State, and that by reason thereof, the counties and towns thus affected, will be practically denied the advantages to be derived from highway improvement, while being compelled to pay their proportion of the general expense of the same; and,

Whereas, The statutes of the State of New York with reference to highway improvement and highways generally, are many in conflict with each other, and many of them obsolete, having been superseded by later statutes, all of which leads to confusion and

uncertainty as to what the law is with reference to the subject of highway improvement, and to the enforcement thereof. Now, therefore, be it

Resolved (if the Assembly concur), That a joint committee consisting of three members of the Senate and five members of the Assembly, be appointed to investigate the subject of highway improvement in all of its phases, and to recommend legislation with reference thereto, said committee to proceed with all convenient speed and submit its report to the Legislature on or before April 1, 1907, as to the general subject of highway improvement and as to the proposed legislation with reference thereto.

The said committee is also directed and empowered to revise and codify the statutes of the State of New York with reference to highways, and to report thereon to the Legislature on or before January 15, 1908.

The said committee is empowered to sit when the Legislature is not in session, and it may employ counsel with such stenographers, clerks and employees as may be necessary, and may examine witnesses without oath or otherwise, and make such further investigation, after its said recommendations with reference to legislation to be made on or before April 1, 1907, into the construction of highways, and the method of the same as to the said committee may seem proper.

The sum of twenty thousand dollars or so much thereof as may be necessary is hereby appropriated out of any moneys in the treasury not otherwise appropriated, for the purpose of said committee.

Said resolution was referred to the committee on finance.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, FEBRUARY 19, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. C. S. Hager.

The journal of yesterday was read and approved.

Mr. Hasenflug introduced a bill (Int. No. 431) entitled "An act to amend the Greater New York charter, in relation to appro-

priations for the Ridgewood Day Nursery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 432) entitled "An act to amend section 11 of title 3 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the salary of the city judge of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Ackroyd introduced a bill (Int. No. 433) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Morris C. Copeland and Lillian Copeland, against the State of New York, for damages alleged to have been sustained by them, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 434) entitled "An act to amend section 188 of chapter 20 of the Laws of 1900, entitled 'An act for the protection of the forests, fish and game of the State, constituting chapter 31 of the general laws,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Hinman introduced a bill (Int. No. 435) entitled "An act to amend the Penal Code, in relation to larceny," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Hill introduced a bill (Int. No. 436) entitled "An act to authorize the city of Buffalo to apply the sum realized from the sale of grade crossing bonds on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, to the payment of other bonds falling due prior to July 1, 1908," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 437) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' conferring authority upon said city to borrow money temporarily from the banks designated by the common

council as depositories in anticipation of the collection of taxes and resources," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fancher introduced a bill (Int. No. 438) entitled "An act authorizing the construction of a bridge across the Allegany river near the mouth of the stream known as Wolf Run in the town of Elko, Cattaraugus county, on the Allegany Indian reservation, making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Thompson introduced a bill (Int. No. 439) entitled "An act to provide for iron gates for the protection of life on streets leading to the Gowanus canal in the borough of Brooklyn in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 440) entitled "An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McManus introduced a bill (Int. No. 441) entitled "An act fixing the rate of wages to be paid laborers, workmen, or mechanics employed by the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cobb introduced a bill (Int. No. 442) entitled "An act to provide for the removal of obstructions from and repairing and improving the Black river canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 443) entitled "An act to amend the Village Law, in relation to village assessors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Foelker introduced a bill (Int. No. 444) entitled "An act to provide for the repair and improvement of existing me-

chanical and other structures and works on and connected with the canals of this state," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly sent for concurrence the bill (No. 434, Rec. No. 66) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 2 of article 12 of the Constitution in relation to the classification of cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 700, Rec. No. 67) entitled "An act to amend the County Law, relative to the appointment and salaries of assistant district attorneys in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 697, Rec. No. 68) entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in certain tributaries of Lake Ontario," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 721, Rec. No. 69) entitled "An act to amend chapter 565 of the Laws of 1895, entitled 'An act to incorporate the city of Little Falls,' relative to the amount of annual tax levy for fire and police fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 699, Rec. No. 70) entitled "An act to amend the Village Law, in relation to street improvement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 722, Rec. 71) entitled "An act to amend chapter 87 of the Laws of 1898, as amended by chapter 595 of the Laws of 1906, entitled 'An act to amend chapter 541 of the Laws of 1865, entitled "An act to incorporate the city of Newburgh," and the several acts amendatory thereof, in relation to the improvement of streets in said city,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 720, Rec. No. 72) entitled "An act to amend section 4 of title 15 of chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' relative to salaries of deputy superintendent of the almshouse and clerk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 246, Rec. No. 73) entitled "An act to provide for the administration of the State School of Agriculture, at Saint Lawrence University," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 621, Rec. No. 74) entitled "An act to amend the Forest, Fish and Game Law, in relation to pike," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 27, Rec. No. 75) entitled "An act to provide for the retaxation by the Appellate Division of the Supreme Court of the State of New York for the Second Judicial Department, of the claim of Nelson J. Waterbury, Jr., as surviving partner of the firm of N. J. and N. J. Waterbury, Jr., for services rendered by them for the city of New York in the trial of the claim of George R. Sheldon, as assignee of William H. DeForrest, under the provisions of chapter 490 of the Laws of 1883, entitled 'An act to provide new reservoirs, dams and a new aqueduct with the appurtenances thereto, for the purpose of supplying the city of New York with an increased supply of pure and wholesome water,' and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 332, Rec. No. 76) entitled "An act to incorporate Alliance Francaise de New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the Senate bill (No. 289, Int. No. 104) entitled "An act to validate and authorize certain improvement bonds of the village of Kenmore, Erie county, N. Y., vali-

dating proceedings heretofore taken for the issuance and sale thereof and providing for the delivery or re-sale thereof, and for the levy of a tax for the payment of the principal and interest thereof."

Also, Senate bill (No. 207, Int. No. 200) entitled "An act to provide that proceedings and applications under chapter 490 of the Laws of 1883, entitled 'An act to provide new reservoirs, dams and a new aqueduct with the appurtenances thereto, for the purpose of supplying the city of New York with an increased supply of pure and wholesome water,' and the acts amendatory thereof and supplemental thereto, shall be taken and made in the Supreme Court in the judicial district in which lands affected or acquired are situated," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

Then the Senate resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 42, Int. No. 42), entitled "An act to amend the Code of Civil Procedure by adding a new section, to be known as section 1782-a, in relation to the equity jurisdiction of the Supreme Court."

(2) Senate (No. 363, Int. No. 41), entitled "An act to amend section 1781 of the Code of Civil Procedure, in relation to actions against directors, etc., of a corporation for misconduct."

(3) Senate (No. 282, Int. No. 269), entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' relative to grand jury stenographers of Erie county."

(4) Senate (No. 48, Int. No. 48), entitled "An act to amend the Railroad Law, relative to the transportation of freight."

(5) Senate (No. 77, Int. No. 77), entitled "An act to authorize the board of estimate and apportionment of the city of New York, to hear, determine, audit and allow the alleged claim of John W. Carpenter for services alleged to have been rendered between the 1st day of January, 1900, and the first day of October, 1900, inclusive, as clerk of the Municipal Court of said city in the third district of the borough of Brooklyn."

(6) Senate (No. 82, Int. No. 82), entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into the claim of the Donlon Contracting Company against the city of New York for cleaning the brick sewers of the borough of Brooklyn in the city of New York, and to provide for the payment thereof."

(7) Senate (No. 286, Int. No. 272), entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit, and allow the claims of James T. Ellett and Frank Miller, for compensation for services rendered as secretary and watchman, respectively, to the Richmond county park commissioners."

(8) Senate (No. 251, Int. No. 239), entitled "An act to amend section 58 of the charter of the city of New York, known as chapter 466 of the Laws of 1901, for the purpose of requiring commissioners of deeds of the city of New York to file their signatures in the offices of the registers of counties within the said city."

(9) Assembly (No. 22, Rec. No. 40), entitled "An act to provide for the expense of widening Livingston street, in the borough of Brooklyn, city of New York."

After some time spent therein, the President resumed the chair and Mr. Gates, from said committee, reported in favor of the passage of the above-named bills, which report was agreed to and said bills ordered to a third reading.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, FEBRUARY 20, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. J. Delo.

The journal of yesterday was read and approved.

Mr. Thompson introduced a bill (Int. No. 445) entitled "An act to amend chapter 706 of the Laws of 1901, relative to addi-

tional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Travis introduced a bill (Int. No. 446) entitled "An act to amend the Greater New York charter, relative to the general school fund, and the items thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarren introduced a bill (Int. No. 447) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Richard Dillon, a policeman of the second grade, for reinstatement in said department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Agnew introduced a bill (Int. No. 448) entitled "An act to regulate the taking of deposits by certain persons, firms and corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

Mr. Carpenter introduced a bill (Int. No. 449) entitled "An act to legalize and validate certain paving bonds of the village of Mamaroneck and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of a tax for the payment of the principal and interest thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 450) entitled "An act to provide for an additional supply of pure and wholesome water for the village of Peekskill; for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams and other appurtenances for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Smith introduced a bill (Int. No. 451) entitled "An act to erect a sprinkling district and to authorize the procuring of apparatus, and the sprinkling of the streets of the unincorporated village of Pine Plains, Dutchess county, N. Y., and providing for the payment of the expense thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Cordts introduced a bill (Int. No. 452) entitled "An act making an appropriation toward rebuilding the State normal school at New Paltz and authorizing an exchange of sites," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Grattan introduced a bill (Int. No. 453) entitled "An act to amend 'An act to incorporate the trustees of the William Crosswell Doane fund for Christian work in the diocese of Albany' (being chapter 205 of the Laws of 1906), passed April 12, 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. O'Neil introduced a bill (Int. No. 454) entitled "An act to authorize the Comptroller to hear and determine the application of William C. Robinson, Boyden Robinson and Alvin R. Eaton for the redemption of lot No. 30 and parts of lots No. 42 and 31, township 21, in the town of Long Lake, Totten and Crossfield's purchase, Hamilton county, from the sales thereof by the Comptroller for unpaid taxes in the years 1885 and 1890," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Cobb introduced a bill (Int. No. 455) entitled "An act to amend an act entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' in relation to prosecutions for penalties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Gates introduced a bill (Int. No. 456) entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions

against the city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Dunn introduced a bill (Int. No. 457) entitled "An act to amend the State Charities Law, in relation to the visitations and reports of managers of State charitable institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Davis introduced a bill (Int. No. 458) entitled "An act to amend chapter 468 of the Laws of 1901, entitled 'An act to provide for the reimbursement of the expenses and disbursements paid and incurred by the several justices of the Supreme Court, who are designated as justices of the Appellate Division of that court,' by including compensation to trial justices, relative to the payment of such expenses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Armstrong introduced a bill (Int. No. 459) entitled "An act to amend the Forest, Fish and Game Law, in relation to game protectors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Travis (by request) introduced a bill (Int. No. 460) entitled "An act authorizing the board of estimate and apportionment of the city of New York to hear, audit, determine and allow the alleged claim of the Narragansett Machine Company for furnishing to the park board of said city goods, wares and merchandise for use in the parks of the city of New York, borough of the Bronx, and to provide for the payment of such claim," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Davis introduced a bill (Int. No. 461) entitled "An act entitled 'An act to provide for the registration of steam and motor boats, engaged in navigating the inland waters of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Frawley introduced a bill (Int. No. 462), entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York to refund assessments made upon property for acquiring title to East River park, bounded by Eighty-sixth street, East river and Avenue B in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly returned Assembly bill (No. 44, reprint No. 719, Rec. No. 11) entitled "An act to legalize the proceedings of a meeting of the voters of union free school district No. 6, towns of Perry and Castile, county of Wyoming, and of the board of education of said district in the issuance and sale of bonds to the amount of \$50,000," with a message in the words following:

STATE OF NEW YORK.

IN ASSEMBLY, FEBRUARY 18, 1907.

This bill was duly passed by the Assembly, January 29, 1907, and was transmitted to the Senate. Said bill was returned by the Senate, February 5, 1907, with a message that they had concurred in the passage of the same without amendments. Thereafter, upon the 6th day of February, 1907, the vote upon the final passage of said bill was reconsidered and said bill was recommitted to the committee on internal affairs. Thereafter, upon the 6th day of February, 1907, the committee on internal affairs was discharged from further consideration of said bill and said bill was amended by substituting therefor the following:

"An act to legalize the proceedings of a meeting of the voters of union free school district number six, towns of Perry and Castile, county of Wyoming, and of the board of education of said district in the issuance and sale of bonds to the amount of fifty thousand dollars."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All the acts and proceedings heretofore had or taken by the legal voters of union free school district number six, towns of Perry and Castile, county of Wyoming, relative to the erection of a new school building in said district as authorized by the qualified voters of such district at a meeting therefor called and

held on the fifteenth day of August, nineteen hundred and five, and voting an appropriation therefor of fifty thousand dollars in anticipation of funds to be derived from the issuance and sale of district bonds, and all acts and proceedings heretofore had or taken by the board of education of such district relative to the issuance and sale of the bonds of said district in the sum of fifty thousand dollars for the erection of said building, are hereby ratified and legalized in all respects. The said board of education is hereby authorized, empowered and directed to execute and deliver said bonds in accordance with and pursuant to said proceedings. The board of education of said district is further authorized, empowered and directed, pursuant to the provisions of the consolidated school law, to raise annually by tax upon the taxable property of said district such sum as shall be necessary to pay the interest due on said bonds and the principal of said bonds as the same shall mature until such interest and principal shall be paid in full.

§ 2. This act shall not affect any action or proceeding now pending in any court.

§ 3. This act shall take effect immediately.

Thereafter, upon the 18th day of February, 1907, said bill as amended was read the third time and duly passed, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

BY ORDER OF THE ASSEMBLY.

A. E. BAXTER, Clerk.

Mr. Hooker moved that the vote upon the final passage of the said bill be reconsidered.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grady | McCarren | Sohmer |
| Agnew | Cullen | Grattan | McManus | Sullivan |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Fancher | Heacock | Owens | Travis |
| Burr | Foelker | Hill | Page | Tully |
| Carpenter | Franchot | Hinman | Raines | Wemple |
| Cassidy | Fuller | Hooker | Ramsperger | White |
| Cobb | Gates | Knapp | Saxe | Wilcox |
| Cohalan | Gilchrist | McCall | Smith | |

Ordered, That said bill be referred to the committee on the judiciary.

A message from the Governor, at the hands of his secretary, was received and read in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, February 20, 1907.

To the Senate:

I recommend the removal of Otto Kelsey from the office of Superintendent of Insurance.

With respect to life insurance, New York is easily the most important jurisdiction in the United States, if not in the world, and the vast interests involved imperatively require, and it should be a point of honor for the State to maintain, a fearless and efficient administration of its supervising department commanding the confidence of the people.

I recommend Mr. Kelsey's removal because as head of this Department he has conspicuously failed to perform obvious duties of the first importance, and his neglect has demonstrated his unfitness for the trust confided to him.

Mr. Kelsey took office on the 17th day of May, 1906. His appointment was made soon after the investigation by the Joint Committee of the Legislature which disclosed gross irregularities in the management of life insurance corporations. Official position had been used for private gain, and the moneys contributed by the policyholders for their mutual protection had been wasted in a scandalous manner. Extravagant salaries had been paid, favoritism had been permitted to enrich themselves at the expense of the policyholders, an elaborate system had been established for the purpose of controlling legislation in this State and throughout the country, and enormous sums had been secretly disbursed without proper vouchers.

The revelation of these grave abuses in connection with our greatest fiduciary institutions shocked the civilized world, and by the discredit which justly attached to the administration of the Insurance Department, humiliated our State.

During the period of these abuses every life insurance corporation doing business within the State was required by law to make annual reports, to give prompt and verified reply to all inquiries of the Superintendent, and was subject to the examination of the Superintendent as often as he deemed it expedient. Upon such examination the production of all books and papers could be required and officers and agents examined under oath. Not only

did this power of supervision exist, but it was supposed to be exercised, and official assurances from time to time were given from which the policyholders had the right to infer that their interests were properly conserved.

The Equitable Life Assurance Society had been examined by the Department in 1902; the Mutual Life Insurance Company in 1903; and the New York Life Insurance Company in 1904. In each case the examination continued through many months and purported to be exhaustive, but disclosed none of the improper practices which actually existed and which were subsequently brought to light by the Legislative Committee.

In the case of the Equitable the chief examiner reported under date of October 13, 1902, as follows:

"The examination was begun in April last and has occupied the entire attention of the examining force until the present time. Every facility has been accorded them by the representatives of the company in its endeavor to expedite the work and ample opportunity has always been afforded to investigate and verify the nature of all transactions relating to the conduct of its affairs."

At the close of the examination of the Mutual in September, 1903, the examiner said:

"If the scope of the investigation were confined solely to ascertaining the fact that the corporation was solvent under the law, that is, that its assets were properly invested thereunder and equal or in excess of liabilities, the time occupied in determining this question would be relatively limited compared to that required to determine likewise whether the company had been managed in the best interests of policyholders, the cost of whose insurance to them in a purely mutual company depends largely upon an intelligent administration of its affairs. An examination therefore of receipts and disbursements for a series of years becomes necessary if we are to arrive at any idea of the conduct of a company's business, with the view of confirming the belief that the welfare of all policyholders has been conserved by the character of its management in the past. I believe the time occupied in establishing this fact was amply warranted. * * * Every facility was afforded by the company's officers and the heads of its several departments to thoroughly accomplish the work which has been materially expedited by the admirable methods in vogue at the home office in the handling of accounts and keeping of books of initial or final entry."

Similarly in the case of the New York Life in 1904 the same examiner reported:

"The result of this work I believe amply justifies the conclusion that all disbursements found to have been made incidental

to the expense of conducting business were in no sense excessive, unreasonable or not warranted. The officers and representatives of the company gave your examiners full and free access to all its records and aided them in every way in their endeavor to accomplish the work thoroughly and expeditiously."

These facts were presented to the Legislature in the report of its Committee, which concluded its review of the work of the Department with this statement:

"Most of the evils which have been disclosed by the investigation would have been impossible had there been a vigorous performance of the duties already laid upon the Department, a vigilant watchfulness in the interest of policyholders and a courageous exercise of the powers which the statute confers."

When Mr. Kelsey took office there was a just and insistent public demand that the Insurance Department should be purged of those responsible for its derelictions, and that men should be put in charge of its important work in whose capacity and fidelity the people could confide. The Superintendent of necessity had been compelled to rely upon the reports of his subordinates and it was patent that the paramount duty of the new Superintendent was in order to insure efficiency in the work of the Department was to remove those who either had been willing to countenance, or had been too inefficient to discover, the abuses, the existence of which had brought the Department supervision into disgrace.

Mr. Kelsey had before him the proceedings and the report of the Legislative Committee; he was not left in the dark as to the conditions which had existed. In notable instances he had specific information as to those within the Department who were directly responsible for its failures.

The examination work in New York City for some years had been in charge of the First Deputy. It is inconceivable that had he performed his duty the conditions obtaining in the companies from time to time under examination could have remained undisclosed. The impropriety of continuing him in office was apparent. Yet nine months have elapsed since Mr. Kelsey's appointment and the officer in question still remains First Deputy.

The extraordinary reports above referred to upon the examination of the three great companies were made by the chief examiner. His testimony before the Legislative Committee showed that his examinations, so far as they were a test of the character of the management, were a farce, and yet his reports clearly permitted the inference, and in one case distinctly stated that this matter had been thoroughly examined. Nevertheless, the chief examiner was retained by Mr. Kelsey for about eight months and until his voluntary resignation in January of this year.

Mr. Kelsey gives the barren excuse that he had a large amount of work on hand and needed the services of these men while he was familiarizing himself with the details of the Department. This attitude shows his entire failure to grasp his duty. He was not justified in relying upon the reports of those who had been so conspicuously unfaithful, nor could he properly permit himself to depend for information as to departmental needs upon those who had misled former superintendents and could not be supposed to have any sympathy with necessary efforts to reform the Department. It is difficult to exaggerate the great importance of the work with which those holding these positions are intrusted — investigating transactions of vast magnitude under conditions calling for the highest degree of confidence. It requires the most scrupulous fidelity. The State of New York is not lacking in men qualified to take such positions if one has a mind to seek them. Mr. Kelsey had no right to condone the failings of those who had been proved inefficient, for he owed a duty to the people of the State to put the Department beyond the reach of just criticism and to re-establish the confidence which had been so seriously shaken. It was not his official function to commiserate or to protect, but it was his duty to take vigorous action which would assure to all that the great business of life insurance in the State of New York was hereafter to be conducted under vigilant supervision.

The position of First Deputy was exempt from civil service restrictions. It could have been filled at any time, but Mr. Kelsey made no suitable effort to fill it. It appears that he intended to have a reorganization which he supposed might be effected in the early part of this year — possibly by new legislation — but has not yet been effected, and which incidentally would dispose of the First Deputy by abolishing the position as it had existed. Meanwhile he thought, by increased vigilance, he could use the present incumbent. It appears from his testimony submitted herewith that he did not desire to reprimand or dismiss him.

The position of chief examiner was in the competitive class. No definite request was made for examinations to provide an eligible list until about the time the chief examiner resigned; nor was there any effort to procure permission to fill the place temporarily pending such examinations, a permission which doubtless would have been instantly granted.

Not only did Mr. Kelsey fail promptly to remove these subordinates who had so notoriously failed in their duties, but he made no effort to determine the responsibility of other employees for the grave defects which had existed in the work of the Department.

He should have conducted a searching examination to find out whom he could trust, to determine who had been faithful and who faithless. He evidently had no adequate conception of his duties in the premises.

Despite the evidence adduced before the Legislative Committee as to the efforts of the companies to control legislative and departmental action, and their lavish expenditure of moneys for this purpose, Mr. Kelsey made no inquiries to determine the relations of the men in the Department in order that he might be advised whether they were under any obligations inconsistent with their duty to the State. The Legislative Committee in its report commented upon the fact that one of the clerks in the Department had been appointed at the instance of Andrew C. Fields, who had been in general charge of the legislative enterprises of the more important companies. This clerk is still in the Department, and although his testimony as to his relations was taken by the Committee, it appears that Mr. Kelsey has not read it.

There is no satisfactory evidence that Mr. Kelsey endeavored to master the situation and to put the Department upon a proper basis. With the exception of two or three trifling changes in minor positions having no relation to this object, all the officers and employees whom he found employed in the Department when he took office, he retained until the end of the year, and I understand that up to the present time no dismissal has been made for cause.

Undoubtedly the work of the Department has been onerous and has required a large expenditure of time and thought. Nor do I seek to impugn Mr. Kelsey's integrity.

But the more important the work of the Department the greater the need of making it efficient and trustworthy. The assiduity of a departmental chief in attention to the details of routine cannot compensate for the lack of administrative capacity. The passage of laws will amount to nothing if they are not executed. Provisions for publicity will not avail if the supervision of the State be feeble and inadequate. If examinations in the future are to be of the same description as those in the past, the administration of the Department will not prevent a recurrence of the old abuses. Doubtless in former years superintendents and their assistants have been burdened with work, and before the Legislative Committee much was said of the extent of their activities. But comparatively few hours of well-directed labor would have made the Insurance Investigation unnecessary and would have saved us from the scandal of the past two years.

It is my desire that the administration of the Insurance Department should be worthy of the State of New York and that the

reputation of its administration should be redeemed. With the unparalleled size and importance of the interests committed to its care, it should represent the highest degree of administrative efficiency. There should be no taint of past scandal upon any person connected with it. For the sake not only of the policy-holders but of all those in any way connected with the important business of insurance it should be above reproach.

I have been compelled with regret to reach the conclusion that Mr. Kelsey is not the man to have charge of this Department. His past neglect and the want of force and initiative already displayed make it unsafe to accept assurances for the future. The excuses that he now makes serve only to place in a more prominent light his misconception of his obligations and of what the people of the State have a right to expect.

With this recommendation for his removal by your honorable body, I transmit to you the transcript of his testimony taken before me with his supplementary communication.

CHARLES E. HUGHES.

Mr. Raines offered the following:

Resolved, That the message of the Governor and accompanying papers be printed and referred to the committee on the judiciary, with instructions to report at the earliest time practicable, what disposition should be made of the matter.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Agnew, from the committee on engrossed bills, reported as correctly printed and engrossed Senate bill (No. 425, Int. No. 55) entitled "An act to amend section 258 of the Code of Civil Procedure, relating to the appointment of stenographers for the Supreme Court so as to permit the appointment of additional stenographers in the seventh and eighth judicial districts."

Also, Senate bill (No. 424, Int. No. 228) entitled "An act to amend chapter 225 of the Laws of 1901, entitled 'An act to incorporate the city of Oneida,' in relation to sewers."

Also, Senate bill (No. 315, Int. No. 288) entitled "An act to amend section 523 of the Code of Criminal Procedure, relative to service of notice of appeal when judgment is of death."

Also, Senate bill (No. 387, Int. No. 344) entitled "An act to amend section 6 of title 3 of chapter 635 of the Laws of 1895,

entitled 'An act to revise the charter of the city of Yonkers, in relation to the appointment of additional help in the office of the city clerk.' "

Also, Senate bill (No. 399, Int. No. 356) entitled "An act to amend chapter 160 of the Laws of 1900, entitled 'An act to incorporate the city of Cortland,' relative to revising and adding to certain sections of the charter."

Also, Senate bill (No. 230, Int. No. 221) entitled "An act to permit the board of estimate and apportionment of the city of New York to place a portion of Lincoln road in the borough of Brooklyn under the care, custody, control and maintenance of the department of parks of the city of New York."

Also, Senate bill (No. 42, Int. No. 42) entitled "An act to amend the Code of Civil Procedure by adding a new section, to be known as section 1782-a, in relation to the equity jurisdiction of the Supreme Court."

Also, Senate bill (No. 363, Int. No. 41) entitled "An act to amend section 1781 of the Code of Civil Procedure, in relation to actions against directors, etc., of a corporation for misconduct."

Also, Senate bill (No. 282, Int. No. 269) entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' relative to grand jury stenographers of Erie county."

Also, Senate bill (No. 48, Int. No. 48) entitled "An act to amend the Railroad Law, relative to the transportation of freight."

Also, Senate bill (No. 77, Int. No. 77) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, determine, audit and allow the alleged claim of John W. Carpenter for services alleged to have been rendered between the 1st day of January, 1900, and the 1st day of October, 1900, inclusive, as clerk of the Municipal Court of said city in the third district of the borough of Brooklyn."

Also, Senate bill (No. 82, Int. No. 82) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into the claim of the Donlon Contracting Company against the city of New York for cleaning the brick

sewers of the borough of Brooklyn in the city of New York, and to provide for the payment thereof."

Also, Senate bill (No. 286, Int. No. 272) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit and allow the claims of James T. Ellett and Frank Miller, for compensation for services rendered as secretary and watchman, respectively, to the Richmond county park commissioners."

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No. 415, Int. No. 373), entitled "An act to amend chapter 53 of the Laws of 1906, entitled 'An act to authorize the city of Mount Vernon to issue bonds for the purpose of refunding bonds falling due on or before February 1, 1907, and for which no provision has been made in the sinking fund,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No. 414, Int. No. 372), entitled "An act to amend chapter 176 of the Laws of 1905, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Mills (No. 600, Rec. No. 62), entitled "An act to amend chapter 593 of the Laws of 1905, entitled 'An act to revise the charter of the city of Johnstown,' relative to the salary of the superintendent of water works and the collection of water rents," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cohalan (No. 330, Int. No. 301), entitled "An act to amend section 47 of the Greater New York charter (revised), as amended by chapter 629 of the

Laws of 1905, with respect to the powers of the board of aldermen," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 405, Int. No. 362), entitled "An act to amend chapter 712 of the Laws of 1901, entitled 'An act to relieve the congestion and facilitate the traffic on the New York and Brooklyn bridge, and to improve and extend the footpaths, roadways, railway tracks and other facilities for the use of pedestrians, vehicles and railway passengers at the westerly or Manhattan terminal of said bridge,' as to amendments, changes or modifications," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Saxe (No. 373, Int. No. 330), entitled "An act to amend the Greater New York charter, in relation to retiring members of the fire department," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Heacock (No. 395, Int. No. 352), entitled "An act to amend chapter 389 of the Laws of 1893, entitled 'An act to establish a board of water commissioners of the village of Newport,' in relation to the bond of the commissioner," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Rogers (No. 416, Rec. No. 20), entitled "An act making appropriations for the erection of certain buildings at the Binghamton State Hospital, the Middletown State Homeopathic Hospital, the Hudson River State Hospital, and the Kings Park State Hospital, and for the improvement of the water supply at the Binghamton State Hos-

pital," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act making appropriations for the erection of certain buildings at the Binghamton State Hospital and the Kings Park State Hospital," which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Frisbie (No. 699, Rec. No. 70), entitled "An act to amend the Village Law, in relation to street improvement," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Wemple (No. 379, Int. No. 336), entitled "An act to amend chapter 214 of the Laws of 1887, entitled 'An act to organize and establish a police department for the village of Saratoga Springs and defining its powers and duties,' in relation to the police commissioner," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Emerson (No. 209, Int. No. 202), entitled "An act to amend the Village Law, in relation to the compensation of the president and trustees, in villages having a population of 14,000 or over," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Wemple (No. 394, Int. No. 351), entitled "An act to amend chapter 506 of the Laws of 1902, entitled 'An act to amend the charter of the village of Saratoga Springs and to provide for the appointment of sewer, water and street commissioners for said village, and to prescribe their powers and duties,' and repealing sections 7 and 44-a thereof," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Heacock (No. 418, Int. No. 376), entitled "An act to amend chapter 485 of the Laws of 1887, entitled 'An act to establish a board of police and fire commissioners of the village of Herkimer,' in relation to the compensation of policemen, and the chief of police," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grady (No. 389, Int. No. 346), entitled "An act authorizing the board of taxes and assessments in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the friendly aid society," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act authorizing the board of taxes and assessments in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to The Friendly Aid Society," which report was agreed to, the said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Smith (No. 376, Int. No. 333), entitled "An act to amend the charter of the city of Hudson, in relation to the board of education," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grattan (No. 333, Int. No. 304), entitled "An act authorizing the city of Albany and the Albany Orphan Asylum to enter into an agreement for determining the boundary line between their premises, and to exchange lands in fulfillment thereof," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Agnew (No. 34, Int. No. 34), entitled "An act to amend section 1092 of the Greater New York charter, in relation to the public school teach-

ers' retirement fund," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Sohmer (No. 256, Int. No. 244), entitled "An act relating to the admission and removal of patients in hospitals," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 406, Int. No. 363), entitled "An act to provide for a temporary extension of the Manhattan or westerly terminal of the New York and Brooklyn bridge in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Harte (No. 345, Int. No. 236), entitled "An act to provide for the payment of the claim of John M. Phillips for work and material furnished the bureau of highways of the borough of Queens, the city of New York, during the year 1903," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 127, Int. No. 125), entitled "An act to amend the Greater New York charter, relative to the salary of the clerk for the children's court, second division, borough of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Foelker (No. 250, Int. No. 238), entitled "An act to amend chapter 365 of the Laws of 1894, entitled 'An act to provide for indexing and reindexing conveyances, mortgages and other instruments relating to lands and liens in the county of Kings,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Lansing (No. 407, Rec. No. 39), entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' in relation to the powers of the board of education," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. McCarren (No. 221, Int. No. 214), entitled "An act to amend the Code of Civil Procedure," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Hinman (No. 398, Int. No. 355), entitled "An act to amend the Code of Criminal Procedure, relative to peremptory challenges," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Frawley (No. 388, Int. No. 345), entitled "An act to compel the Harlem river railroad company, lessor, and the New York central and Hudson river railroad company, lessee, to construct foot-bridges or passageways for pedestrians over or under their tracks on certain streets in the city of New York," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to compel the New York and Harlem Railroad Company, lessor, and the New York Central and Hudson River Railroad Company, lessee, to construct foot-bridges or passageways for pedestrians over or under their tracks on certain streets in the city of New York," which report was agreed to, and said bill restored to its place on the order of third reading.

The Senate bill (No. 48. Int. No. 48) entitled "An act to amend the Railroad Law, relative to the transportation of freight," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Ackroyd | Dunn | Heacock | O'Neil | Taylor |
| Boyce | Franchot | Hill | Raines | Thompson |
| Burr | Fuller | Hinman | Ramsperger | Travis |
| Carpenter | Grady | Hooker | Saxe | Tully |
| Cobb | Grattan | McCarren | Sohmer | Wemple |
| Cullen | Harte | Mullaney | Sullivan | Wilcox |
| Davis | Hasenflug | | | |

32

FOR THE NEGATIVE.

Armstrong Cohalan

2

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 286, Int. No. 272) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit and allow the claims of James T. Ellett and Frank Miller, for compensation for services rendered as secretary and watchman, respectively, to the Richmond county park commissioners," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | Mullaney | Sullivan |
| Allds | Davis | Grattan | O'Neil | Taylor |
| Armstrong | Dunn | Harte | Owens | Thompson |
| Boyce | Fancher | Hasenflug | Page | Travis |
| Burr | Foelker | Heacock | Raines | Tully |
| Carpenter | Franchot | Hill | Ramsperger | Wemple |
| Cassidy | Frawley | Hinman | Saxe | White |
| Cobb | Fuller | Hooker | Smith | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 82, Int. No. 82) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into the claim of the Donlon Contracting Company against the city of New York, for cleaning the brick sewers of the borough of Brooklyn in the city of New York, and to provide for the payment thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | Mullaney | Sullivan |
| Allds | Davis | Grattan | O'Neil | Taylor |
| Armstrong | Dunn | Harte | Owens | Thompson |
| Beyoe | Fancher | Hasenflug | Page | Travis |
| Burr | Foelker | Heacock | Raines | Tully |
| Carpenter | Franchot | Hill | Ramsperger | Wemple |
| Cassidy | Frawley | Hinman | Saxe | White |
| Cobb | Fuller | Hooker | Smith | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 77, Int. No. 77) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, determine, audit and allow the alleged claim of John W. Carpenter for services alleged to have been rendered between the 1st day of January, 1900, and the 1st day of October, 1900, inclusive, as clerk of the Municipal Court of said city in the third district of the borough of Brooklyn," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | Mullaney | Sullivan |
| Allds | Davis | Grattan | O'Neil | Taylor |
| Armstrong | Dunn | Harte | Owens | Thompson |
| Boyce | Fancher | Hasenflug | Page | Travis |
| Burr | Foelker | Heacock | Raines | Tully |
| Carpenter | Franchot | Hill | Ramsperger | Wemple |
| Cassidy | Frawley | Hinman | Saxe | White |
| Cobb | Fuller | Hooker | Smith | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 230, Int. No. 221) entitled "An act to permit the board of estimate and apportionment of the city of New York to place a portion of Lincoln road in the borough of Brooklyn under the care, custody, control and maintenance of the department of parks of the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | Mullaney | Sullivan |
| Allds | Davis | Grattan | O'Neil | Taylor |
| Armstrong | Dunn | Harte | Owens | Thompson |
| Boyce | Fancher | Hasenflug | Page | Travis |
| Burr | Foelker | Heacock | Raines | Tully |
| Carpenter | Franchot | Hill | Ramsperger | Wemple |
| Cassidy | Frawley | Hinman | Saxe | White |
| Cobb | Fuller | Hooker | Smith | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 399, Int. No. 356) entitled "An act to amend chapter 160 of the Laws of 1900, entitled 'An act to incorporate the city of Cortland,' relative to revising and adding to certain sections of the charter," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | Mullaney | Sullivan |
| Allds | Davis | Grattan | O'Neil | Taylor |
| Armstrong | Dunn | Harte | Owens | Thompson |
| Boyce | Fancher | Hasenflug | Page | Travis |
| Burr | Foelker | Heacock | Raines | Tully |
| Carpenter | Franchot | Hill | Ramsperger | Wemple |
| Cassidy | Frawley | Hinman | Saxe | White |
| Cobb | Fuller | Hooker | Smith | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 387, Int. No. 344) entitled "An act to amend section 6 of title 3 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers, in relation to the appointment of additional help in the office of the city clerk,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | Mullaney | Sullivan |
| Allds | Davis | Grattan | O'Neil | Taylor |
| Armstrong | Dunn | Harte | Owens | Thompson |
| Boyce | Fancher | Hasenflug | Page | Travis |
| Burr | Foelker | Heacock | Raines | Tully |
| Carpenter | Franchot | Hill | Ramsperger | Wemple |
| Cassidy | Frawley | Hinman | Saxe | White |
| Cobb | Fuller | Hooker | Smith | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 424, Int. No. 228) entitled "An act to amend chapter 225 of the Laws of 1901, entitled 'An act to incorporate the city of Oneida,' in relation to sewers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | Mullaney | Sullivan |
| Allds | Davis | Grattan | O'Neil | Taylor |
| Armstrong | Dunn | Harte | Owens | Thompson |
| Boyce | Fancher | Hasenflug | Page | Travis |
| Burr | Foelker | Heacock | Raines | Tully |
| Carpenter | Franchot | Hill | Ramsperger | Wemple |
| Cassidy | Frawley | Hinman | Saxe | White |
| Cobb | Fuller | Hooker | Smith | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 425, Int. No. 55) entitled "An act to amend section 258 of the Code of Civil Procedure, relating to the appointment of stenographers for the Supreme Court so as to permit the appointment of additional stenographers in the seventh and eighth judicial districts," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | Mullaney | Sullivan |
| Allds | Davis | Grattan | O'Neil | Taylor |
| Armstrong | Dunn | Harte | Owens | Thompson |
| Boyce | Fancher | Hasenflug | Page | Travis |
| Burr | Foelker | Heacock | Raines | Tully |
| Carpenter | Franchot | Hill | Ramsperger | Wemple |
| Cassidy | Frawley | Hinman | Saxe | White |
| Cobb | Fuller | Hooker | Smith | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 22, Rec. No. 40) entitled "An act to provide for the expense of widening Livingston street in the borough of Brooklyn, city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | Mullaney | Sohmer |
| Agnew | Cullen | Harte | O'Neil | Sullivan |
| Allds | Davis | Hasenflug | Owens | Taylor |
| Boyce | Fancher | Heacock | Page | Thompson |
| Burr | Foelker | Hill | Raines | Travis |
| Carpenter | Franchot | Hooker | Ramsperger | Tully |
| Cassidy | Frawley | McCall | Saxe | Wemple |
| Cobb | Gates | McCarren | Smith | Wilcox |
| Cohalan | Gilchrist | | | |

42

FOR THE NEGATIVE.

| | | | | |
|-----------|--------|--------|-------|---|
| Armstrong | Fuller | Hinman | White | 4 |
|-----------|--------|--------|-------|---|

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 550, Rec. No. 42) entitled "An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie,' relative to the power of the common council to pass ordinances regarding children and the enforcement thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | Mullaney | Sullivan |
| Allds | Davis | Grattan | O'Neil | Taylor |
| Armstrong | Dunn | Harte | Owens | Thompson |
| Boyce | Fancher | Hasenflug | Page | Travis |
| Burr | Foelker | Heacock | Raines | Tully |
| Carpenter | Franchot | Hill | Ramsperger | Wemple |
| Cassidy | Frawley | Hinman | Saxe | White |
| Cobb | Fuller | Hooker | Smith | Wilcox |
| Cohalan | Gates | McCall | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 105, Int. No. 105) entitled "An act to amend an act entitled 'An act to extend the time within which the International Railway Company and the Crosstown Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo and begin the operation of the same beyond their present construction and operation,'" having been announced for third reading,

Mr. Davis moved that said bill be recommitted to the committee on railroads, with instructions to said committee to report the same forthwith amended as follows:

Page 2, line 2, strike out comma at end of line.

Page 2, line 3, after the word "of" insert the word "the," also after the word "same," insert the words "beyond their present construction and operation."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wilcox, from the committee on railroads, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 97, Int. No. 97) entitled "An act to create and establish a firemen's relief and pension fund for the fire department of the city of Utica and authorizing the granting and payment of pensions and relief to the officers and members of said department entitled thereto," having been announced for third reading,

Mr. Ackroyd moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith amended as follows:

Page 3, line 23, after the word "law," strike out the period and add the words "except those provided by the insurance law."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. McCarren moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 371, Int. No. 328) entitled "An act to amend the Greater New York charter, in relation to the fixing of salaries by the board of education," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, FEBRUARY 21, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. F. H. Reynolds.

The journal of yesterday was read and approved.

Mr. Mullaney introduced a bill (Int. No. 463) entitled "An act to amend chapter 570 of the Laws of 1895, entitled 'An act for the incorporation of associations for the improvement of the breed of horses, and to regulate the same, and to establish a State racing commission,' in relation to admission fees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Saxe introduced a bill (Int. No. 464) entitled "An act to amend subdivision 2 of section 24 of chapter 112 of the Laws of 1896, known as the Liquor Tax Law, as amended by chapter 677 of the Laws of 1905, relating to places in which the traffic in liquor shall not be permitted," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Taylor introduced a bill (Int. No. 465) entitled "An act to authorize the clearing the channel or other improvement of the Neversink river at or near Valley Junction in the town of

Deerpark, Orange county, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Cordts introduced a bill (Int. No. 466) entitled "An act to legalize certain bonds of the town of Hunter in the county of Greene," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Grattan introduced a bill (Int. No. 467) entitled "An act authorizing the canal board to designate in certain cases the places whereat State grants of water rights may be exercised," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. O'Neil introduced a bill (Int. No. 468) entitled "An act to amend chapter 87 of the Laws of 1893, entitled 'An act to amend chapter 335 of the Laws of 1868, entitled "An act to incorporate the city of Ogdensburg," and the acts amending the same,' in relation to construction of sidewalks and curbing and to provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 469) entitled "An act to repeal chapter 723 of the Laws of 1905, entitled 'An act to establish a State water commission, to define its powers and duties and make an appropriation therefor,' and acts amendatory thereof and supplemental thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Gates introduced a bill (Int. No. 470) entitled "An act to legalize the assessment of State lands by the city of Oneida and making an appropriation for the payment of certain taxes due from the State to such city for local improvements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 471) entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on affairs of cities.

Mr. Hill introduced a bill (Int. No. 472) entitled "An act to amend chapter 459 of the Laws of 1893, entitled 'An act to incorporate the Economic Power and Construction Company' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

Mr. Davis introduced a bill (Int. No. 473) entitled "An act to amend chapter 10 of the Laws of 1902, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 474) entitled "An act to amend the Penal Code in relation to adultery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Cohalan introduced a bill (Int. No. 475) entitled "An act to amend the Labor Law, relative to hours of labor of certain employees on railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gilchrist introduced a bill (Int. No. 476) entitled "An act to amend the Greater New York charter, in relation to labor on Sunday," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 477) entitled "An act to empower the comptroller of the city of New York to set aside and cancel certain assessments levied and assessed during the years 1899 and 1900, against certain real property of the Williams Avenue Methodist Episcopal Church in the borough of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Agnew introduced a bill (Int. No. 478) entitled "An act to amend chapter 325 of the Laws of 1863, entitled 'An act to provide for the care and education of indigent deaf-mutes under the

age of twelve years,' in relation to the maintenance of children in deaf and dumb institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 479) entitled "An act to amend the Consolidated School Law, in relation to payments by the State to institutions for the deaf and dumb and the blind," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. McCall introduced a bill (Int. No. 480) entitled "An act to amend the Greater New York charter, relative to the New York fire department relief fund and pensions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sullivan introduced a bill (Int. No. 481) entitled "An act to amend the Greater New York charter, in relation to the dedication of certain lands for markets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tully introduced a bill (Int. No. 482) entitled "An act to amend chapter 195 of the Laws of 1906, entitled 'An act to establish and maintain a water department in and for the city of Corning,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 767, Rec. No. 77) entitled "An act to release to the trustees of the Lewiston High School Academy all right, title and interest of the State to certain lands in the village of Lewiston, Niagara county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 724, Rec. No. 78) entitled "An act to amend the Code of Civil Procedure, in relation to maintaining an action upon an undertaking given upon appeal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 768, Rec. No. 79) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to

sections 1 and 2 of article 14 of the constitution, relating to the adoption of constitutional amendments or a constitution by the people," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 624, Rec. No. 80) entitled "An act to amend the Highway Law, in relation to commissioners for laying out, opening, altering or discontinuing highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 769, Rec. No. 81), entitled "An act to amend the Highway Law, in relation to exempting certain counties from the poll tax," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly returned the concurrent resolution relative to the printing of 7,000 additional copies of Senate Document (No. 11) named "The Report to the Legislature of the Tax Commission," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Public Printer.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That the Clerk of the Senate and the Clerk of the Assembly be and hereby are authorized to purchase the necessary books for the libraries and for the use of the various committees of the Senate and Assembly and the necessary Clerk's Manuals; the same to be paid for out of the contingent fund of the Legislature upon the certificates of the clerks of the Senate and Assembly respectively.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|---------|----------|
| Ackroyd | Cohalan | Fuller | Hinman | Saxe |
| Agnew | Cordts | Gates | Hooker | Smith |
| Allis | Cullen | Gilchrist | Knapp | Sohmer |
| Armstrong | Davis | Grady | McCall | Sullivan |
| Boyce | Dunn | Grattan | McManus | Taylor |

| | | | | | |
|-----------|----------|-----------|------------|--------|----|
| Burr | Fancher | Harte | Mullaney | Travis | |
| Carpenter | Foelker | Hasenflug | O'Neil | Wemple | |
| Cassidy | Franchot | Heacock | Raines | White | |
| Cobb | Frawley | Hill | Ramsperger | Wilcox | 45 |

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate have concurred in the passage of the same.

Mr. Agnew, from the committee on engrossed bills, reported as correctly printed and engrossed, the Senate bill (No. 132, Int. No. 129) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the duties and powers of clerks."

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Travis (No. 297, Int. No. 274), entitled "An act to amend chapter 366 of the Laws of 1878, entitled 'An act to incorporate the Brooklyn Church Society of the Methodist Episcopal Church,' in relation to the objects of the society, and the qualifications and election of its managers," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Travis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary to which was referred the Senate bill, introduced by Mr. Carpenter (No. 64, Int. No. 64), entitled "An act to release George C. Kline all the right, title and interest of the people of the State of New York, in and to real estate situate, lying and being in the city, county and State of New York, acquired by escheat or otherwise," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. McManus (No. 32, Int. No. 32), entitled "An act in relation to appointments and employments in the civil service of the State and the civil divisions thereof," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act in re-

lation to appointments and employments in the civil service of certain civil divisions of the State," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grattan (No. 377, Int. No. 334), entitled "An act to amend chapter 159 of the Laws of 1905, entitled 'An act to incorporate the trustees of the Eastern Star Hall and Home of the State of New York and their successors under the corporate name of the trustees of the Eastern Star Hall and Home of the State of New York,' in relation to the objects of such corporation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Travis (No. 423, Int. No. 370), entitled "An act to amend chapter 530 of the Laws of 1904; entitled 'An act to incorporate the Brooklyn Academy of Music, in the borough of Brooklyn, city of New York,' with respect to its capital stock," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Travis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Davis (No. 422, Int. No. 380), entitled "An act to amend the Executive Law, in relation to the appointment of commissioners of deeds in other States, territories and foreign countries," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Fancher (No. 354, Int. No. 321), entitled "An act to legalize and provide for the payment of certain bonds of union free school district No. 3 in the towns of Little Valley and Mansfield, in the county of Cattaraugus," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was:

referred the Senate bill introduced by Mr. Carpenter (No. 303, Int. No. 280), entitled "An act to incorporate Young People's Missionary Movement of the United States and Canada," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Carpenter (No. 257, Int. No. 245), entitled "An act to release to Giuseppe Barese all the right, title and interest of the people of the State of New York, in and to certain real estate, situate in the village of Ossining, county of Westchester and State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Fancher (No. 384, Int. No. 341), entitled "An act to legalize the bonds of school district No. 1, of the town of Great Valley, in the county of Cattaraugus, in the State of New York, amounting to the sum of \$15,550, issued for the purpose of defraying the expense for the erection and completion of a schoolhouse in said school district," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Foelker (No. 249, Int. No. 237), entitled "An act to amend chapter 9 of the general laws, known as the Executive Law, to provide for the filing by notaries public in the offices of registers of the several counties, of their signatures and certificates of their appointment," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the concurrent resolution introduced by Mr. Hill (No. 353, Int. No. 320), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section 2 of article 6 of the Constitution, in relation to justices of the Appellate Division of

the Supreme Court," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Saxe (No. 401, Int. No. 358), entitled "An act to amend chapter 359 of the Laws of 1862, entitled 'An act to incorporate the New York Commercial Association,' and the acts amendatory thereof, in relation to the purposes of such corporation," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Saxe (No. 402, Int. No. 359), entitled "An act to amend section 13 of chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws,' relating to the purchase, sale, mortgage and lease of real property," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 201, Rec. No. 16), entitled "An act for the relief of the Brooklyn Young Men's Christian Association," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Stratton (No. 115, Rec. No. 19), entitled "An act to amend the Lien Law, in relation to chattel mortgages," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Averill (No. 417, Rec. No. 33), entitled "An act to amend chapter 253 of the Laws of 1857, entitled 'An act to incorporate the trustees of the New York Universalist relief fund,' changing the number and manner of election of trustees thereof and the investment of its funds," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Averill (No. 434, Rec. No. 66), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section 2 of article 12 of the constitution, in relation to the classification of cities," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Averill (No. 464, Rec. No. 59), entitled "An act to amend chapter 188 of the Laws of 1862, entitled 'An act to incorporate the New York State Convention of Universalists,' generally, and by repealing section 6 thereof," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Averill (No. 435, Rec. No. 46), entitled "An act to legalize and confirm the organization and existence of union free school district No. 4 of the town of Greece, and to legalize and confirm all proceedings of the board of education and legal voters of such union free school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 463, Rec. No. 23), entitled "An act to amend chapter 137 of the Laws of 1886, entitled 'An act to incorporate the State executive committee of the Young Men's Christian Associations of the State of New York,' in relation to trustees and the election thereof," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was

referred the Assembly bill introduced by Mr. Norton (No. 165, Rec. No. 17), entitled "An act to legalize and confirm the organization and existence of union free school district No. 3 of the towns of Greenwich and Easton, and to legalize and confirm the proceedings of the board of education and legal voters of such union free school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Raines (No. 383, Int. No. 340), entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for mink, skunk and muskrat in the county of Ontario," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Cobb (No. 356, Int. No. 323), entitled "An act to repeal section 75-a of the Forest, Fish and Game Law," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ramsperger (No. 480, Int. No. 428), entitled "An act to amend chapter 414 of the Laws of 1901, entitled 'An act for the incorporation of Der Bayerische National-Verband von Nord Amerika,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ramsperger, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by Mr. Boshart (No. 554, Rec. No. 36), entitled "An act to amend the Forest, Fish and Game Law, in relation to excepting the county of Lewis from the provisions relating to the close season for black bear," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Hill (No. 440, Int. No. 392), entitled "An act to provide for the establishment of a county lodging-house in the county of Erie," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Cullen (No. 427, Int. No. 256), entitled "An act to amend section 1 of chapter 438 of the Laws of 1897, in relation to the office of the district attorney of the county of Kings," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Cullen, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Raines (No. 382, Int. No. 339), entitled "An act authorizing the board of supervisors of Ontario county to appropriate moneys to provide quarters for Grand Army posts," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Whitley (No. 536, Rec. No. 65), entitled "An act to amend chapter 490 of the Laws of 1902, entitled 'An act to make the office of sheriff of Monroe county a salaried office in part and regulating the management of said office,' in relation to deputy sheriffs, and the amount to be appropriated by board of supervisors for salaries," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Ramsperger (No. 102, Int. No. 102), entitled "An act to

amend the County Law, relative to the duties and salaries of the assistant district attorneys of the county of Erie," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Ramsperger, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Hill (No. 339, Int. No. 310), entitled "An act to amend chapter 341 of the Laws of 1906, entitled 'An act to amend chapter 173 of the Laws of 1895, entitled "An act fixing the fiscal year, providing for a county auditor and regulating the purchase of supplies for the county institutions, and officers of the county of Erie, relative to the office of the county auditor," and the acts amendatory thereof and supplemental thereto, in relation to the powers and duties of the county auditor,' relating to the duties and compensation of the county auditor and the purchase of supplies for said county of Erie," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

The Senate bill (No. 315, Int. No. 288) entitled "An act to amend section 523 of the Code of Criminal Procedure, relative to service of notice of appeal when judgment is of death," having been announced for third reading,

Mr. Hill moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith amended as follows:

Page 1, line 6, strike out the words "upon the official in whose custody the defendant may be" and insert the following words, italicized: "the district attorney upon whom such notice is served, must forthwith give notice thereof to the official in whose custody the defendant may be."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Gilchrist moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 148, Int. No. 145) entitled "An act authorizing the comptroller of the city of New York to inquire into the alleged claim of George R. Dubois, a janitor in the justices court of the former city of Brooklyn, first district, for services rendered as such, from March 1, 1897, to December 31, 1897, both dates inclusive, and for services rendered as janitor of the Municipal Court of the city of New York, borough of Brooklyn, first district, from January 1, 1898, to August 12, 1903, both dates inclusive, and authorizing payment of the same," and that the said bill be amended, the title amended to read as follows: "An act authorizing the board of estimate and apportionment of the city of New York to inquire into the alleged claim of George R. Dubois, a janitor in the justice court of the former city of Brooklyn, first district, for services rendered as such, from March first, eighteen hundred and ninety-seven, to December thirty-first, eighteen hundred and ninety-seven, both dates inclusive, and for services rendered as janitor of the municipal court of the city of New York, borough of Brooklyn, first district, from January first, eighteen hundred and ninety-eight, to August twelfth, nineteen hundred and three, both dates inclusive, and authorizing payment of the same," and that the same be reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 447, Int. No. 255), entitled "An act to amend the Code of Civil Procedure, in relation to the appointment of special deputy clerks."

(2) Senate (No. 127, Int. No. 125), entitled "An act to amend the Greater New York charter, relative to the salary of the clerk for the children's court, second division, borough of Brooklyn."

(3) Senate (No. 250, Int. No. 238), entitled "An act to amend chapter 365 of the Laws of 1894, entitled 'An act to provide for indexing and reindexing conveyances, mortgages, and other in-

struments relating to lands and liens thereon in the county of Kings.' "

(4) Senate (No. 330, Int. No. 301), entitled "An act to amend section 47 of the Greater New York charter (revised), as amended by chapter 629 of the Laws of 1905, with respect to the powers of the board of aldermen."

(5) Senate (No. 256, Int. No. 244), entitled "An act relating to the admission and removal of patients in hospitals."

(6) Senate (No. 395, Int. No. 352), entitled "An act to amend chapter 389 of the Laws of 1893, entitled 'An act to establish a board of water commissioners of the village of Newport,' in relation to the bond of the commissioner."

(7) Senate (No. 406, Int. No. 363), entitled "An act to provide for a temporary extension of the Manhattan or westerly terminal of the New York and Brooklyn bridge in the city of New York."

(8) Senate (No. 414, Int. No. 372), entitled "An act to amend chapter 176 of the Laws of 1905, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds.' "

(9) Senate (No. 415, Int. No. 373), entitled "An act to amend chapter 53 of the Laws of 1906, entitled 'An act to authorize the city of Mount Vernon to issue bonds for the purpose of refunding bonds falling due on or before February 1, 1907, and for which no provision has been made in the sinking fund.' "

(10) Senate (No. 418, Int. No. 376), entitled "An act to amend chapter 485 of the Laws of 1887, entitled 'An act to establish a board of police and fire commissioners of the village of Herkimer,' in relation to the compensation of policemen, and the chief of police."

(11) Assembly (No. 600, Rec. No. 62), entitled "An act to amend chapter 593 of the Laws of 1905, entitled 'An act to revise the charter of the city of Johnstown,' relative to the salary of the superintendent of water works and the collection of water rents."

After some time spent therein, the President resumed the chair, and Mr. Boyce, from the committee, reported in favor of the passage of the above-named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, FEBRUARY 22, 1907.

The Senate met pursuant to adjournment.

The Temporary President in the chair.

Prayer by Rev. F. A. Line.

The journal of yesterday was read and approved.

Mr. Taylor introduced a bill (Int. No. 483) entitled "An act to amend the Membership Corporations Law, relative to pay of directors in certain cemetery corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. O'Neil introduced a bill (Int. No. 484) entitled "An act to amend chapter 2 of the Laws of 1907, entitled 'An act to confirm the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds of the company assumed as a part of the purchase price of its said system of water works,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Tully (No. 306, Int. No. 283), entitled "An act to amend the Tax Law, relative to a seal for the State Board of Tax Commissioners," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Saxe

(No. 428, Int. No. 257), entitled "An act to amend section 202 of the Tax Law, to relieve local assessors from the duty of assessing property of trust companies which is not locally taxable," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

The Assembly returned the Senate bill (No. 320, Int. No. 254) entitled "An act to amend chapter 469 of the Laws of 1875, entitled 'An act to enable the Buffalo General Hospital to change the number of its trustees,' in relation to its trustees."

Also, the Senate bill (No. 343, Int. No. 37) entitled "An act to amend the Code of Civil Procedure, in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Senate bill (No. 424, Int. No. 228) entitled "An act to amend chapter 225 of the Laws of 1901, entitled 'An act to incorporate the city of Oneida,' in relation to sewers," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Oneida for a hearing pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 399, Int. No. 356) entitled "An act to amend chapter 160 of the Laws of 1900, entitled 'An act to incorporate the city of Cortland,' relative to revising and adding to certain sections of the charter," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Cortland for a hearing pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 276, Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, N. Y.," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Schenectady for a hearing pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 277, Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, N. Y.," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Schenectady for a hearing pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 387, Int. No. 344) entitled "An act to amend section 6 of title 3 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the appointment of additional help in the office of the city clerk," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Yonkers for a hearing pursuant to the provisions of the constitution.

Mr. Hooker moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, FEBRUARY 25, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. John Walsh.

The journal of Friday, February 22d, was read and approved.

Mr. Harte introduced a bill (Int. No. 485) entitled "An act to amend the Greater New York charter, in relation to hostlers in the police department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grady introduced a bill (Int. No. 486) entitled "An act to amend the Greater New York charter, relative to the establishment of a police reserve force," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 487) entitled "An act to amend the Greater New York charter, in relation to the qualifications for patrolmen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Saxe introduced a bill (Int. No. 488) entitled "An act to amend the Penal Code, relative to ticket speculators," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 489) entitled "An act to prohibit the issuance of licenses to ticket speculators," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Page introduced a bill (Int. No. 490) entitled "An act to amend title 15 of the Consolidated School Law by providing for courses of study in and the inspection and supervision of schools or classes in charitable and penal institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Grattan introduced a bill (Int. No. 491) entitled "An act to incorporate the Odd Fellows Temple Association of the city of Cohoes, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 492) entitled "An act to amend chapter 18 of the general laws, known as the County Law, relative to the issue of town obligations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Knapp introduced a bill (Int. No. 493) entitled "An act to amend the Revised Statutes relative to the parole of prisoners from State prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wemple introduced a bill (Int. No. 494) entitled "An act to amend the Town Law in relation to fees of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Heacock introduced a bill (Int. No. 495) entitled "An act to amend chapter 109 of the Laws of 1897, entitled 'An act to extend the time for the Davenport, Middleburgh and Durham railroad to begin the construction of its road and expend thereon 10 per centum of its capital and finish and put the same in operation,' as amended by chapter 141 of the Laws of 1902, by further extension of time," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Gates (by request) introduced a bill (Int. No. 496) entitled "An act to amend the Penal Code, relative to punishment for murder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. White introduced a bill (Int. No. 497) entitled "An act to amend chapter 675 of the Laws of 1906, relative to the reconstruction of the west wing of the cofferdam at the outlet of Skanateles lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Hooker introduced a bill (Int. No. 498) entitled "An act to amend chapter 167 of the Laws of 1906, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office, generally,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Dunn introduced a bill (Int. No. 499) entitled "An act to establish a commission of highways and prescribing the duties and powers of such commission," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Hill introduced a bill (Int. No. 500) entitled "An act to amend section 46 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter 23 of the Laws of 1902, in relation to eligibility to the office of city treasurer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Davis introduced a bill (Int. No. 501) entitled "An act to authorize the trustees of the village of Kenmore, Erie county, N. Y., acting as a board of assessors, to levy an annual frontage tax upon lands in said village in front of which water mains have been or may hereafter be extended," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 502) entitled "An act to validate the acts of the duly qualified electors, the property owners and the trustees of the village of Kenmore, with reference to the extension of the village limits, and in making the annual assessment roll for the year 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fancher introduced a bill (Int. No. 503) entitled "An act to authorize the city of Jamestown to receive contributions for certain purposes, and to determine the manner of collecting the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gilchrist introduced a bill (Int. No. 504) entitled "An act to amend the Legislative Law, relative to privilege of witnesses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sohmer introduced a bill (Int. No. 505) entitled "An act authorizing the board of estimate and apportionment of the city of New York, in its discretion, to direct that the cost and expense of opening, widening or extending streets in said city for the purpose of using such streets as an approach to bridges connecting the various boroughs of said city shall be borne and paid by the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grady introduced a bill (Int. No. 506) entitled "An act to amend the Greater New York charter, in relation to the qualifications for firemen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 772, Rec. No. 82) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the salaries of the record clerks and court attendants of the Court of General Sessions of the Peace in and for the county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 845, Rec. No. 83) entitled "An act making appropriations for the support of government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 589, Rec. No. 84) entitled "An act to amend chapter 389 of the Laws of 1893, entitled 'An act to establish a board of water commissioners of the village of Newport,' in relation to the bond of the commissioner," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Heacock, and by unanimous consent, said bill was substituted for Senate bill (No. 395, Int. No. 352), now on the order of third reading.

Also, the bill (No. 66, Rec. No. 85) entitled "An act to permit the city of Troy to borrow money on the faith of real estate purchased at tax sales within said city and to provide a sinking fund for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 366, Rec. No. 86) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Albert Snyder against the State of New York for damages alleged to have been sustained by him in the construction of a State road in the town of Saugerties, Ulster county, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 191, Rec. No. 87) entitled "An act to provide for the laying out of a public park or playground in the city of New York, between Thirty-fourth and Forty-fourth streets

and west of Tenth avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 282, Rec. No. 88) entitled "An act to amend chapter 213 of the Laws of 1904, entitled 'An act to make the office of county clerk of Orange county a salaried office and regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to the fees of such clerk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 512, Rec. No. 89) entitled "An act to repeal chapter 100 of the Laws of 1906, entitled 'An act in relation to acquiring a site therefor and the erection of public buildings for the use of Cortland county and the city of Cortland,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 24, Rec. No. 90) entitled "An act for the relief of persons, firms and corporations who rendered services and furnished labor or material which was used in constructing the State armory in the late village, now city, of Tonawanda, Erie county, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 248, Rec. No. 91) entitled "An act to provide for the pensioning of Mary Hedeman, mother of Patrolman William Hedeman, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 610, Rec. No. 92) entitled "An act to legalize and provide for the payment of certain bonds of union free school district No. 3 in the towns of Little Valley and Mansfield, in the county of Cattaraugus," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 370, Rec. No. 93) entitled "An act authorizing the commissioner of street cleaning of the city of New

York to investigate and reconsider the application upon which John A. Walsh, formerly an assistant section foreman of the department of street cleaning of said city, resigned from said department and to reinstate him in his former position," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 774, Rec. No. 94) entitled "An act to amend chapter 203 of the Laws of 1906, entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of extending and improving the supply of water to the city and its inhabitants,' in relation to the rate of interest on said bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 51, Rec. No. 95) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the city of New York for assessments affecting property in the city of New York and directing the comptroller to mark such assessments accordingly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 780, Rec. No. 96) entitled "An act to amend chapter 176 of the Laws of 1905, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Carpenter, and by unanimous consent, said bill was substituted for Senate bill (No. 414, Int. No. 372), now on the order of third reading.

Also, the bill (No. 779, Rec. No. 97) entitled "An act to amend chapter 53 of the Laws of 1906, entitled 'An act to authorize the city of Mount Vernon to issue bonds for the purpose of refunding bonds falling due on or before February 1, 1907, and for which no provision has been made in the sinking fund,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Carpenter, and by unanimous consent, said

bill was substituted for Senate bill (No. 415, Int. No. 373), now on the order of third reading.

Also, the bill (No. 817, Rec. No. 98) entitled "An act to authorize the common council of the city of New Rochelle to issue and sell certificates of indebtedness for the purpose of defraying the expense of constructing new buildings in Hudson park in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Agnew, from the committee on engrossed bills, reported as correctly printed and engrossed the Senate bill (No. 428, Int. No. 257) entitled "An act to amend section 202 of the Tax Law, to relieve local assessors from the duty of assessing property of trust companies which is not locally taxable."

Also, Senate bill (No. 333, Int. No. 304) entitled "An act authorizing the city of Albany and the Albany Orphan Asylum to enter into an agreement for determining the boundary line between their premises, and to exchange lands in fulfillment thereof."

Also, Senate bill (No. 353, Int. No. 320) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 2 of article 6 of the Constitution, in relation to justices of the Appellate Division of the Supreme Court."

Also, Senate bill (No. 354, Int. No. 321) entitled "An act to legalize and provide for the payment of certain bonds of union free school district No. 3 in the towns of Little Valley and Mansfield, in the county of Cattaraugus."

Also, Senate bill (No. 376, Int. No. 333) entitled "An act to amend the charter of the city of Hudson, in relation to the board of education."

Also, Senate bill (No. 382, Int. No. 339) entitled "An act authorizing the board of supervisors of Ontario county to appropriate moneys to provide quarters for Grand Army posts."

Also, Senate bill (No. 383, Int. No. 340) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for mink, skunk and muskrat in the county of Ontario."

Also, Senate bill (No. 384, Int. No. 341) entitled "An act to legalize the bonds of school district No. 1 of the town of Great

Valley, in the county of Cattaraugus, in the State of New York, amounting to the sum of \$15,550, issued for the purpose of defraying the expense for the erection and completion of a school-house in said school district."

Also, Senate bill (No. 401, Int. No. 358) entitled "An act to amend chapter 359 of the Laws of 1862, entitled 'An act to incorporate the New York Commercial Association,' and the acts amendatory thereof, in relation to the purposes of such corporation."

Also, Senate bill (No. 405, Int. No. 362) entitled "An act to amend chapter 712 of the Laws of 1901, entitled 'An act to relieve the congestion and facilitate the traffic on the New York and Brooklyn bridge, and to improve and extend the footpaths, roadways, railway tracks and other facilities for the use of pedestrians, vehicles and railway passengers at the westerly or Manhattan terminal of said bridge,' as to amendments, changes or modifications."

Also, Senate bill (No. 443, Int. No. 59) entitled "An act to amend the County Law, relative to the appointment of assistant district attorneys in the county of Queens."

Also, Senate bill (No. 339, Int. No. 310) entitled "An act to amend chapter 341 of the Laws of 1906, entitled 'An act to amend chapter 173 of the Laws of 1895, entitled "An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions, and officers of the county of Erie, relative to the office of the county auditor," and the acts amendatory thereof and supplemental thereto, in relation to the powers and duties of the county auditor,' relating to the duties and compensation of the county auditor and the purchase of supplies for said county of Erie."

Also, Senate bill (No. 423, Int. No. 370) entitled "An act to amend chapter 530 of the Laws of 1904, entitled 'An act to incorporate the Brooklyn Academy of Music, in the borough of Brooklyn, city of New York,' with respect to its capital stock."

Also, Senate bill (No. 440, Int. No. 392) entitled "An act to provide for the establishment of a county lodging house in the county of Erie."

Also, Senate bill (No. 480, Int. No. 428) entitled "An act to

amend chapter 414 of the Laws of 1901, entitled 'An act for the incorporation of Der Bayerische National-Verband von Nord-Amerika.'"

Also, Senate bill (No. 127, Int. No. 125) entitled "An act to amend the Greater New York charter, relative to the salary of the clerk of the children's court, second division, borough of Brooklyn."

Also, Senate bill (No. 250, Int. No. 238) entitled "An act to amend chapter 365 of the Laws of 1894, entitled 'An act to provide for indexing and reindexing conveyances, mortgages and other instruments relating to lands and liens thereon in the county of Kings.'"

Also, Senate bill (No. 256, Int. No. 244) entitled "An act relating to the admission and removal of patients in hospitals."

Also, Senate bill (No. 330, Int. No. 301) entitled "An act to amend section 47 of the Greater New York charter (revised), as amended by chapter 629 of the Laws of 1905, with respect to the powers of the board of aldermen."

Also, Senate bill (No. 395, Int. No. 352) entitled "An act to amend chapter 389 of the Laws of 1893, entitled 'An act to establish the board of water commissioners of the village of Newport,' in relation to the bond of the commissioner."

Also, Senate bill (No. 406, Int. No. 363) entitled "An act to provide for a temporary extension of the Manhattan or westerly terminal of the New York and Brooklyn bridge in the city of New York."

Also, Senate bill (No. 414, Int. No. 372) entitled "An act to amend chapter 176 of the Laws of 1905, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds.'"

Also, Senate bill (No. 415, Int. No. 373) entitled "An act to amend chapter 53 of the Laws of 1906, entitled 'An act to authorize the city of Mount Vernon to issue bonds for the purpose of refunding bonds falling due on or before February 1, 1907, and for which no provision has been made in the sinking fund.'"

Also, Senate bill (No. 418, Int. No. 376) entitled "An act to amend chapter 485 of the Laws of 1887, entitled 'An act to estab-

lish a board of police and fire commissioners of the village of Herkimer,' in relation to the compensation of policemen, and the chief of police."

Also, Senate bill (No. 297, Int. No. 274) entitled "An act to amend chapter 366 of the Laws of 1878, entitled 'An act to incorporate the Brooklyn Church Society of the Methodist Episcopal Church,' in relation to the objects of the society and the qualification and election of its managers."

The President presented the report of the Superintendent of Banks relative to savings banks and trust companies, which was laid upon the table and ordered printed.

(See Document.)

The Assembly bill (No. 600, Rec. No. 62) entitled "An act to amend chapter 593 of the Laws of 1905, entitled 'An act to revise the charter of the city of Johnstown,' relative to the salary of the superintendent of water works and the collection of water rents," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Senate bill (No. 256, Int. No. 244) entitled "An act relating to the admission and removal of patients in hospitals," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Smith |
| Allds | Cullen | Gates | McCall | Sohmer |
| Armstrong | Davis | Gilchrist | McManus | Sullivan |
| Boyce | Dunn | Grady | Mullaney | Taylor |
| Burr | Emerson | Grattan | O'Neil | Travis |
| Carpenter | Fancher | Harte | Owens | Tully |
| Cassidy | Foelker | Heacock | Raines | Wemple |
| Cobb | Franchot | Hill | Ramsperger | White |
| Cohalan | Frawley | Hooker | Saxe | Wilcox |

45

FOR THE NEGATIVE.

Agnew

1

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 330, Int. No. 301) entitled "An act to amend section 47 of the Greater New York charter (revised), as amended by chapter 629 of the Laws of 1905, with respect to the powers of the board of aldermen," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 779, Rec. No. 97) entitled "An act to amend chapter 53 of the Laws of 1906, entitled 'An act to authorize the city of Mount Vernon to issue bonds for the purpose

of refunding bonds falling due on or before February 1, 1907, and for which no provision has been made in the sinking fund,' " was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Senate bill (No. 418, Int. No. 376) entitled "An act to amend chapter 485 of the Laws of 1887, entitled 'An act to establish a board of police and fire commissioners of the village of Herkimer,' in relation to the compensation of policemen, and the chief of police," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 406, Int. No. 363) entitled "An act to provide for a temporary extension of the Manhattan or westerly terminal of the New York and Brooklyn bridge in the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 201, Rec. No. 16) entitled "An act for the relief of the Brooklyn Young Men's Christian Association," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Assembly bill (No. 780, Rec. No. 96) entitled "An act to amend chapter 176 of the Laws of 1905, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds,' " was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Assembly bill (No. 589, Rec. No. 84) entitled "An act to amend chapter 389 of the Laws of 1893, entitled 'An act to establish a board of water commissioners of the village of Newport,' in relation to the bond of the commissioner," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |

| | | | | |
|-----------|----------|---------|------------|--------|
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Assembly bill (No. 463, Rec. No. 23) entitled "An act to amend chapter 137 of the Laws of 1886, entitled 'An act to incorporate the State executive committee of the Young Men's Christian Associations of the State of New York,' in relation to trustees and the election thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agn w | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Assembly bill (No. 165, Rec. No. 17) entitled "An act to legalize and confirm the organization and existence of union free school district No. 3 of the towns of Greenwich and Easton, and to legalize and confirm the proceedings of the board of education and legal voters of such union free school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | McCall | Saxe |
| Agnew | Cordts | Gates | McManus | Sohmer |
| Allds | Cullen | Gilchrist | Mullaney | Sullivan |
| Armstrong | Davis | Grady | O'Neil | Taylor |
| Boyce | Dunn | Grattan | Owens | Tully |
| Burr | Emerson | Harte | Page | Wemple |
| Carpenter | Fancher | Heacock | Raines | White |
| Cassidy | Foelker | Hill | Ramsperger | Wilcox |
| Cobb | Franchot | Hooker | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Assembly bill (No. 464, Rec. No. 59) entitled "An act to amend chapter 188 of the Laws of 1862, entitled 'An act to incorporate the New York State Convention of Universalists' generally and by repealing section 6 thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Assembly bill (No. 536, Rec. No. 65) entitled "An act to amend chapter 490 of the Laws of 1902, entitled 'An act to make the office of sheriff of Monroe county a salaried office in part and regulating the management of said office,' in relation to deputy sheriffs, and the amount to be appropriated by board of supervisors for salaries," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Assembly bill (No. 417, Rec. No. 33) entitled "An act to amend chapter 253 of the Laws of 1857, entitled 'An act to incorporate the trustees of the New York Universalist relief fund,' changing the number and manner of election of trustees thereof and the investment of its funds," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Senate bill (No. 250, Int. No. 238) entitled "An act to amend chapter 365 of the Laws of 1894, entitled 'An act to pro-

vide for indexing and reindexing conveyances, mortgages and other instruments relating to lands and liens thereon in the county of Kings,'” was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 127, Int. No. 125) entitled “An act to amend the Greater New York charter, relative to the salary of the clerk for the children’s court, second division, borough of Brooklyn,” was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Knapp | Saxe |
| Agnew | Cullen | Gates | McCall | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grady | Mullaney | Taylor |
| Boyce | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Raines | White |
| Cobb | Frawley | Hooker | Ramsperger | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 440, Int. No. 392) entitled "An act to provide for the establishment of a county lodging house in the county of Erie," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 480, Int. No. 428) entitled "An act to amend chapter 414 of the Laws of 1901, entitled 'An act for the incorporation of Der Bayerische National-Verband von Nord-Amerika,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 442, Int. No. 129) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the duties and powers of clerks," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 353, Int. No. 320) entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section 2 of article 6 of the Constitution, in relation to justices of the Appellate Division of the Supreme Court," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Tully |
| Burr | Emerson | Harte | Owens | Wemple |
| Carpenter | Fancher | Heacock | Page | White |
| Cassidy | Foelker | Hill | Raines | Wilcox |
| Cobb | Franchot | Hooker | Ramsperger | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 443, Int. No. 59) entitled "An act to amend the County Law, relative to the appointment of assistant district attorneys in the county of Queens," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | McCall | Sohmer |
| Agnew | Cordts | Gilchrist | McManus | Sullivan |
| Alds | Cullen | Grady | Mullaney | Taylor |
| Armstrong | Davis | Grattan | O'Neil | Travis |
| Boyce | Dunn | Harte | Owens | Tully |
| Burr | Emerson | Heacock | Page | Wemple |
| Carpenter | Fancher | Hill | Raines | White |
| Cassidy | Foelker | Hooker | Ramsperger | Wilcox |
| Cobb | Franchot | Knapp | Saxe | 44 |

FOR THE NEGATIVE.

Fuller

1

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 297, Int. No. 274) entitled "An act to amend chapter 366 of the Laws of 1878, entitled 'An act to incorporate the Brooklyn Church Society of the Methodist Episcopal Church,' in relation to the objects of the society and the qualification and election of its managers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|----------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Alds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |

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|-----------|----------|---------|------------|--------|
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 339, Int. No. 310) entitled "An act to amend chapter 341 of the Laws of 1906, entitled 'An act to amend chapter 173 of the Laws of 1895, entitled "An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions and officers of the county of Erie, relative to the office of the county auditor," and the acts amendatory thereof and supplemental thereto, in relation to the powers and duties of the county auditor,' relating to the duties and compensation of the county auditor and the purchase of supplies for said county of Erie," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 423, Int. No. 370) entitled "An act to amend chapter 530 of the Laws of 1904, entitled 'An act to incorporate the Brooklyn Academy of Music, in the borough of Brooklyn, city of New York,' with respect to its capital stock," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 354, Int. No. 321) entitled "An act to legalize and provide for the payment of certain bonds of union free school district No. 3 in the towns of Little Valley and Mansfield, in the county of Cattaraugus," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Tully |
| Burr | Emerson | Harte | Owens | Wemple |
| Carpenter | Fancher | Heacock | Page | White |
| Cassidy | Foelker | Hill | Raines | Wilcox |
| Cobb | Franchot | Hooker | Ramsperger | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 376, Int. No. 333) entitled "An act to amend the charter of the city of Hudson, in relation to the board of education," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Tully |
| Burr | Emerson | Harte | Owens | Wemple |
| Carpenter | Fancher | Heacock | Page | White |
| Cassidy | Foelker | Hill | Raines | Wilcox |
| Cobb | Franchot | Hooker | Ramsperger | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 382, Int. No. 339) entitled "An act authorizing the board of supervisors of Ontario county to appropriate moneys to provide quarters for Grand Army posts," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Wemple |
| Burr | Emerson | Harte | Owens | White |
| Carpenter | Fancher | Heacock | Page | Wilcox |
| Cassidy | Foelker | Hill | Raines | |
| Cobb | Franchot | Hooker | Ramsperger | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 383, Int. No. 340) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for mink, skunk and muskrat in the county of Ontario," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 384, Int. No. 341) entitled "An act to legalize the bonds of school district No. 1 of the town of Great Valley, in the county of Cattaraugus, in the State of New York, amounting to the sum of \$15,550, issued for the purpose of defraying the expense for the erection and completion of a school-house in said school district," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 333, Int. No. 304) entitled "An act authorizing the city of Albany and the Albany Orphan Asylum to

enter into an agreement for determining the boundary line between their premises, and to exchange lands in fulfillment thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 401, Int. No. 358) entitled "An act to amend chapter 359 of the Laws of 1862, entitled 'An act to incorporate the New York Commercial Association,' and the acts amendatory thereof, in relation to the purposes of such corporation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 405, Int. No. 362) entitled "An act to amend chapter 712 of the Laws of 1901, entitled 'An act to relieve the congestion and facilitate the traffic on the New York and Brooklyn bridge, and to improve and extend footpaths, roadways, railway tracks and other facilities for the use of pedestrians, vehicles and railway passengers at the westerly or Manhattan terminal of said bridge,' as to amendments, changes or modifications," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Knapp | Saxe |
| Agnew | Cordts | Gates | McCall | Sohmer |
| Allds | Cullen | Gilchrist | McManus | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Heacock | Page | Wemple |
| Cassidy | Foelker | Hill | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 558, Int. No. 288) entitled "An act to amend section 523 of the Code of Criminal Procedure, relative to service of notice of appeal when judgment is of death," having been announced for third reading, Mr. Hill moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 6, and page 2, lines 2 and 3, print in italics instead of Roman.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Gates offered a concurrent resolution in the words following:

Resolved (if the Assembly concur), That a committee be and hereby is created to consist of two members from the Department of Agriculture, one of whom shall be the Commissioner of Agriculture or a person named by him from said Department of Agriculture and the other the Chief of the Bureau of Statistics and Information, Land and Labor of the Department of Agriculture; and the Commissioner of Labor, or a person named by him from the Department of Labor and two citizens, not public officials, who shall be appointed by the Governor for the purpose hereinafter specified:

First. The Committee so created, shall investigate and inquire into the whole matter of abandoned farms.

Second. The matter of the scarcity of farm labor.

Third. The depopulation of the village, its loss of wealth and influence, and the corresponding centralization in cities and their disproportionate increase in wealth and influence.

Fourth. The matter of congestion and distribution of population including,

Fifth. The subject of immigration, and the distribution throughout the state into localities where needed, of immigrants.

Immediately upon the passage of this resolution this committee so created shall meet to elect a chairman and secretary and they shall then proceed to inquire into the above specified subjects; and they shall meet from time to time, as necessary, in various parts of the State; and they shall hold public hearings and shall invite information and suggestion, and they may, if necessary, appoint two of their members, one of whom shall be a citizen member to go abroad for the purpose of instituting any necessary inquiry; and they are herewith authorized to engage at reasonable compensation such stenographers and clerks as may be necessary.

The two citizen members of such committee created shall receive a per diem compensation of ten dollars for each day of actual service; but all the members of this committee and their employees, shall receive traveling and living expenses during the continuance of this committee while actually engaged in the work of said committee, outside of their respective places of residence.

The sum of \$20,000 is herewith appropriated out of moneys in the treasury not otherwise appropriated, for the expenses of said committee above specified, and such other expenses as shall be a legitimate part of the expense of performing the work of this committee.

This committee shall report its findings to the Governor on or before December 1, 1907, and the Governor shall submit the same to the Legislature convening on January 1, 1908, with such recommendations as he and the committee shall deem necessary in a revision of the laws relating to and authorizing the establishment in the present Department of Agriculture of such bureau or bureaus as deal at present with such above specified matters; and the broadening of the scope and authority of such bureau or bureaus and the creation of such other bureau or bureaus for such purposes as shall be deemed necessary in view of the findings of said committee."

Ordered, That said resolution be referred to the committee on finance.

Mr. Owens offered a resolution in the words following:

Resolved, That the committee on military affairs of the Senate be and is hereby authorized and directed to visit the State camp at Peekskill during the encampment thereat of the National Guard in the year nineteen hundred and seven, or at such other times as the committee may determine, for the purpose of investigating the condition and sufficiency of such camp and generally in relation to the use thereof by the National Guard, the service and manoeuvres of the National Guard thereat, and such other matters relating thereto as the committee may determine. Such committee shall make such recommendations to the Legislature of nineteen hundred and eight, in relation to such matters, as in its judgment may be deemed for the best interest of this State.

Resolved, That the sum of one thousand dollars, or so much thereof as may be necessary, is hereby appropriated to meet the expenses thereof to be paid out of the contingent fund of the Legislature.

Ordered, That said resolution be referred to the committee on finance.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, FEBRUARY 26, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. T. D. Anderson.

The journal of yesterday was read and approved.

Mr. Harte introduced a bill (Int. No. 507) entitled "An act to amend sections 1391 and 1392 of the Greater New York charter, chapter 466 of the Laws of 1901, relative to magistrates in Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarren introduced a bill (Int. No. 508) entitled "An act to amend chapter 490 of the Laws of 1883, entitled 'An act to provide new reservoirs, dams and a new aqueduct with the appurtenances thereto, for the purpose of supplying the city of New York, with an increased supply of pure and wholesome water,' relative to the judicial district in which proceedings pertaining thereto may be taken, and construction of highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 509), entitled "An act to amend the Greater New York charter, relative to the apportionment of taxes on undivided parcels of real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Page introduced a bill (Int. No. 510) entitled "An act to amend section 263 of the Penal Code, in relation to the transportation of freight on Sunday," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 511) entitled "An act to amend section 384-h of the Penal Code, relative to hours of labor to be required of employees of a corporation operating a line of railroad thirty miles in length, or over," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 512) entitled "An act to amend the Greater New York charter, being chapter 378 of the Laws of 1897, as amended by chapter 466 of the Laws of 1901, relative to inspection of boilers and engines and the qualification and licensing of engineers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Frawley introduced a bill (Int. No. 513) entitled "An act to amend section 458 of the Penal Code, relating to crimes against the public peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Carpenter introduced a bill (Int. No. 514) entitled "An act to amend the Village Law, relative to lighting certain streets and roads in subdivisions of villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. O'Neil introduced a bill (Int. No. 515) entitled "An act to amend section 183 of the Tax Law, in relation to corporations exempt from tax on capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Cobb introduced a bill (Int. No. 516) entitled "An act to amend an act, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' in relation to the powers and duties of the Commissioner of Agriculture," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Hinman introduced a bill (Int. No. 517) entitled "An act to revise the charter of the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tully introduced a bill (Int. No. 518) entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of foods and drugs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

A message was received from the Governor, at the hands of his secretary, returning to the Senate without executive approval, Senate bill (No. 188, Int. No. 181) entitled "An act to permit the electors of the towns of Vernon and New Hartford, in the county of Oneida, to vote upon the proposition to make the charge of fifteen per centum of cost of roads already improved in said towns under chapter 115 of Laws of 1898, a town charge instead of a charge upon abutting owners."

Ordered, That said bill and accompanying message be referred to the committee on internal affairs of towns and counties. (For veto message, see Appendix.)

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 551, Senate reprint No. 499, Rec. No. 41) entitled "An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie,' relative to the power of said city to take and receive gifts, bequests and devises."

Also, Senate bill (No. 501, Int. No. 218) entitled "An act to amend an act entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, being chapter 580 of the Laws of 1902,' to authorize the formation of an appellate term in the second judicial department, to appoint clerks and attendants, and to provide for the expenses thereof."

The Senate bill (No. 282, Int. No. 269) entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' relative to grand jury stenographers of Erie county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | Knapp | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |

| | | | | |
|-----------|----------|-----------|------------|--------|
| Boyce | Fancher | Hasenflug | O'Neil | Travis |
| Burr | Foelker | Heacock | Owens | Tully |
| Carpenter | Franchot | Hill | Page | Wemple |
| Cassidy | Frawley | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate bill (No. 42, Int. No. 42) entitled "An act to amend the Code of Civil Procedure by adding a new section, to be known as section 1782-a, in relation to the equity jurisdiction of the Supreme Court," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the negative, a majority of all the Senators elected not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|---------|-----------|----------|----------|----------|
| Agnew | Fuller | Heacock | McManus | Saxe |
| Burr | Grady | Hill | Mullaney | Sohmer |
| Cohalan | Grattan | Hooker | O'Neil | Sullivan |
| Cullen | Harte | Knapp | Owens | Taylor |
| Frawley | Hasenflug | McCarren | Page | Travis |

25

FOR THE NEGATIVE.

| | | | | |
|-----------|-----------|----------|------------|--------|
| Ackroyd | Carpenter | Davis | Gates | Tully |
| Allds | Cassidy | Dunn | Hinman | Wemple |
| Armstrong | Cobb | Fancher | Ramsperger | White |
| Boyce | Cordts | Franchot | Smith | Wilcox |

20

Mr. Saxe moved to reconsider the vote by which said bill was lost, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly bill (No. 551, Senate reprint No. 499, Rec. No. 41) entitled "An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie,' relative to the power of said city to take and receive gifts, bequests and devises," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Hooker | Smith |
| Agnew | Cordts | Gates | Knapp | Sohmer |
| Allds | Cullen | Gilchrist | McCarren | Sullivan |
| Armstrong | Davis | Grady | Mullaney | Taylor |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |

45.

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, with amendments.

The Senate bill (No. 501, Int. No. 218) entitled "An act to amend an act entitled 'Act in relation to the Municipal Court of the city of New York, its officers and marshals, being chapter 580 of the Laws of 1902,' to authorize the formation of an Appellate Term in the second judicial department, to appoint clerks and attendants, and to provide for the expenses thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|--------|
| Ackroyd | Davis | Gilchrist | O'Neil | Taylor |
| Boyce | Dunn | Grady | Page | Travis |
| Burr | Fancher | Grattan | Ramsperger | Tully |
| Carpenter | Foelker | Harte | Saxe | Wemple |
| Cassidy | Franchot | Heacock | Smith | White |
| Cordts | Frawley | Hinman | Sohmer | Wilcox |
| Cullen | Gates | McCarren | Sullivan | |

34

FOR THE NEGATIVE.

| | | | |
|---------|--------|----------|---|
| Cohalan | Hooker | Mullaney | 3 |
|---------|--------|----------|---|

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Then Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 504, Int. No. 34), entitled "An act to amend section 1092 of the Greater New York charter, in relation to the public school teachers' retirement fund."

(2) Senate (No. 506, Int. No. 214), entitled "An act to amend the Code of Civil Procedure."

(3) Senate (No. 507, Int. No. 236), entitled "An act to provide for the payment of the claim of John M. Phillips, for work and material furnished the bureau of highways of the borough of Queens, the city of New York, during the year 1903."

(4) Senate (No. 379, Int. No. 336), entitled "An act to amend chapter 214 of the Laws of 1887, entitled 'An act to organize and establish a police department for the village of Saratoga Springs, and defining its powers and duties,' in relation to the police commissioner."

(5) Senate (No. 508, Int. No. 346) entitled "An act authorizing the board of taxes and assessments in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society."

(6) Senate (No. 509, Int. No. 351), entitled "An act to amend chapter 506 of the Laws of 1902, entitled 'An act to amend the charter of the village of Saratoga Springs, and to provide for the appointment of sewer, water and street commissioners for said village, and to prescribe their powers and duties,' and repealing sections 7 and 44-a thereof."

(7) Senate (No. 510, Int. No. 355), entitled "An act to amend the Code of Criminal Procedure, relative to peremptory challenges."

(8) Assembly (No. 699, Rec. No. 70), entitled "An act to amend the Village Law, in relation to street improvement."

(9) Senate (No. 533, Int. No. 32), entitled "An act in relation to appointments and employments in the civil service of certain civil divisions of the State."

After some time spent therein, the President resumed the chair, and Mr. Tully, from said committee, reported in favor of the passage of the above-named bills, the second with amendments, and the title amended to read as follows: "An act to amend the Code of Civil Procedure, relative to attachments," which report was agreed to, and said bills ordered to a third reading.

Mr. Grady moved that the committee of the whole be discharged from the consideration of Assembly bill (No. 407, Rec. No. 39), entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' in relation to the powers of the board of education," and that said bill be re-committed to the committee on affairs of cities, retaining its place in the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Armstrong announced to the Senate the death of Hon. Jean LaRue Burnett, and moved that the Senate do now adjourn, out of respect to his memory.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, FEBRUARY 27, 1907.

The Senate met pursuant to adjournment.

Prayer by the Rev. C. R. Storey.

The journal of yesterday was read and approved.

Mr. Harte introduced a bill (Int. No. 519) entitled "An act to amend the Railroad Law, in relation to fare in the counties of Kings and Queens," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on railroads.

Also, a bill (Int. No. 520) entitled "An act to amend the Code of Civil Procedure, in relation to a stenographer for the County Court of Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Foelker introduced a bill (Int. No. 521) entitled "An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 522) entitled "An act to amend the Code of Civil Procedure, in relation to canceling notices of pendency of action," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. McCarren introduced a bill (Int. No. 523) entitled "An act to amend section 1758 of the Code of Civil Procedure, relative to divorce," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 524) entitled "An act to authorize the board of estimate and apportionment of the city of New York to cancel certain assessments affecting property in the borough of Brooklyn, city of New York, levied against said property for the opening of Freeman street from Provost street to Whale creek in the borough of Brooklyn, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gilchrist introduced a bill (Int. No. 525) entitled "An act to provide shelter-houses at transfer stations for passengers on railroads in Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Wemple introduced a bill (Int. No. 526) entitled "An act to amend chapter 64 of the Laws of 1854, entitled 'An act to incorporate the Saratoga Lake Bridge Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Emerson introduced a bill (Int. No. 527) entitled "An act to make the office of the county clerk of the county of Fulton a salaried office, and to provide for the conduct of said office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Ackroyd introduced a bill (Int. No. 528) entitled "An act to amend and consolidate the several acts relating to the department of public instruction in the city of Utica, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tully introduced a bill (Int. No. 529) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to the payment of the cost of construction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 530) entitled "An act making an appropriation for the promotion of agriculture," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Franchot introduced a bill (Int. No. 531) entitled "An act to revise the charter of the city of North Tonawanda," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 532) entitled "An act to amend the Town Law, relative to the election and term of office of assessors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Hill introduced a bill (Int. No. 533) entitled "An act authorizing the city of Buffalo to create a sinking fund with the avails of the sale of certain grade crossing bonds made on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, and from such fund to pay for the work for which said bonds were issued when the same shall be duly ordered; and to award other bonds to said fund without advertising," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 534) entitled "An act releasing to the city of Buffalo certain lands under the waters of Niagara river in said city for a pumping station site and for other municipal purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Davis introduced a bill (Int. No. 535) entitled "An act to regulate transfers of goods in bulk," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence the bill (No. 629, Rec. No. 99) entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow and the comptroller of the city of New York to pay George V. Kelly compensation for services rendered to said city in the office of the coroner of the borough of Queens, in the years 1904 and 1905 as a clerk in said coroner's office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 310, Rec. No. 100) entitled "An act to provide for a connecting railroad in the borough of Manhattan between the Brooklyn bridge and the Williamsburg bridge, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 473, Rec. No. 101) entitled "An act authorizing and requiring the payment of the tax on foreign fire insurance companies collected and received by the treasurer of the city of Little Falls, New York, under section 133 of the Insurance Law, to the treasurer of the exempt firemen's association of the city of Little Falls, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 447, Rec. No. 102) entitled "An act to establish a retirement fund for pensioning teachers of the public schools in the city of Elmira, and to regulate the collection, management and disbursement thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 430, Rec. No. 103) entitled "An act to amend the Forest, Fish and Game Law, in relation to foxes in Delaware county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 919, Rec. No. 104) entitled "An act to enable the fire commissioner of the city of New York to rehear

and determine the charges against William H. Weise, fireman of the first grade, for reinstatement in said department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 381, Rec. No. 105) entitled "An act to amend the Village Law, in relation to the compensation of the president and trustees, in villages having a population of fourteen thousand or over," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, Senate bill (No. 532, Int. No. 345) entitled "An act to compel the New York and Harlem Railroad Company, lessor, and the New York Central and Hudson River Railroad Company, lessee, to construct foot-bridges or passageways for pedestrians over or under their tracks on certain streets in the city of New York."

Also, Senate bill (No. 502, Int. No. 97) entitled "An act to create and establish a fireman's relief and pension fund for the fire department of the city of Utica, and authorizing the granting and payment of pensions and relief to the officers and members of said department entitled thereto."

Also, Senate bill (No. 503, Int. No. 105) entitled "An act to amend an act entitled 'An act to extend the time within which the International Railway Company and the Crosstown Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation.'"

Also, Senate bill (No. 531, Int. No. 330) entitled "An act to amend the Greater New York charter, in relation to retiring members of the fire department."

Also, Senate bill (No. 507, Int. No. 236) entitled "An act to provide for the payment of the claim of John M. Phillips, for work and material furnished the bureau of highways of the borough of Queens, the city of New York, during the year 1903."

Also, Senate bill (No. 379, Int. No. 336) entitled "An act to amend chapter 214 of the Laws of 1887, entitled 'An act to organize and establish a police department for the village of Sara-

toga Springs and defining its powers and duties,' in relation to the police commissioner."

Also, Senate bill (No. 509, Int. No. 351) entitled "An act to amend chapter 506 of the Laws of 1902, entitled 'An act to amend the charter of the village of Saratoga Springs and to provide for the appointment of sewer, water and street commissioners for said village, and to prescribe their powers and duties,' and repealing sections 7 and 44-a thereof."

Also, Senate bill (No. 504, Int. No. 34) entitled "An act to amend section 1092 of the Greater New York charter, in relation to the public school teachers' retirement fund."

Also, Senate bill (No. 508, Int. No. 346) entitled "An act authorizing the board of taxes and assessments in the city of New York to cancel and annul certain unpaid taxes upon the real estate in said city, belonging to The Friendly Aid Society."

Also, Senate bill (No. 510, Int. No. 355) entitled "An act to amend the Code of Criminal Procedure, relative to peremptory challenges."

Also, Assembly bill (No. 416, Senate reprint No. 530, Rec. No. 20) entitled "An act making appropriations for the erection of certain buildings at the Binghamton State Hospital and the Kings Park State Hospital."

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Duell (No. 817, Rec. No. 98), entitled "An act to authorize the common council of New Rochelle to issue and sell certificates of indebtedness for the purpose of defraying the expense of constructing new buildings in Hudson park in said city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Tully (No. 556, Int. No. 482), entitled "An act to amend chapter 195 of the Laws of 1906, entitled 'An act to establish and maintain a water department in and for the city of Corning,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Tully, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hill (No. 491, Int. No. 437), entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' conferring authority upon said city to borrow money temporarily from the banks designated by the common council in anticipation of the collection of taxes and resources," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hill (No. 479, Int. No. 427), entitled "An act to amend chapter 203 of the Laws of 1906, entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of extending and improving the supply of water to the city and its inhabitants,' in relation to rate of interest on said bonds," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Davis (No. 76, Int. No. 76), entitled "An act to provide for the better collection of unpaid assessments for local improvements in the town of West Seneca, Erie county, N. Y.," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Davis (No. 75, Int. No. 75), entitled "An act to legalize, ratify and confirm the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, N. Y., in establishing sewer district No. 1 in said town and contracting for the construction of a system of sewers, pumping plant and disposal plant in such district," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Cassidy (No. 400, Int. No. 357), entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries, and to fix the compensation of such stenographers,' relative to the appointment of stenographers to take evidence before grand juries and at coroner's inquests and examinations and trials of criminal cases," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Hastings (No. 722, Rec. No. 71), entitled "An act to amend chapter 87 of the Laws of 1898, as amended by chapter 595 of the Laws of 1906, entitled 'An act to amend chapter 541 of the Laws of 1865, entitled "An act to incorporate the city of Newburgh," and the several acts amendatory thereof,' in relation to the improvement of streets in said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Burns (No. 359, Rec. No. 32), entitled "An act to amend chapter 57 of the Laws of 1883, entitled 'An act for the preservation of public records, maps and papers,' in relation to the compensation of persons employed in such work," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Frawley (No. 529, Int. No. 462), entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York to refund assessments made upon property for acquiring title to East River park, bounded by Eighty-sixth street, East river and Avenue B in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which

was referred the Senate bill introduced by Mr. Grady (No. 462, Int. No. 408), entitled "An act to provide for the indexing of the records and maps of the county of Westchester, affecting title to real estate now within the county of New York, heretofore deposited or filed in the office of the register of the county of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Owens (No. 329, Int. No. 300), entitled "An act to amend section 23 of chapter 466 of the Laws of 1901, known as the charter of the city of New York, empowering the mayor of said city to designate the president of the board of aldermen to represent the mayor on the public boards of said city," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cullen (No. 451, Int. No. 397), entitled "An act to provide for the payment of the claim of Henry Yonge and Thomas F. Donnelly for legal services performed by them in the matter of the investigation conducted before Hon. Edward M. Grout, comptroller of New York city, pursuant to section 149 of the New York city charter, as to the justness of certain claims presented by the New York Edison Company for supplying electric light to the public buildings in the boroughs of Manhattan and the Bronx and also lighting the streets in the same boroughs, from the 1st day of January, 1903, to the 10th day of March, 1904, and also as to the justness of certain claims presented by the Consolidated Gas Company for supplying gas, lamp lighting and gas light to public buildings in the borough of Manhattan from the 1st day of January, 1903, and to the 15th day of March, 1904," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fuller (No. 267, Int. No. 23), entitled "An act to amend the Greater New York

charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Dunn (No. 147, Int. No. 144), entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city," relating to the duties of the treasurer," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Stratton (No. 624, Rec. No. 80), entitled "An act to amend the Highway Law, in relation to commissioners for laying out, opening, altering or discontinuing highways," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 769, Rec. No. 81), entitled "An act to amend the Highway Law, in relation to exempting certain counties from the poll tax," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Newton (No. 512, Rec. No. 89), entitled "An act to repeal chapter 100 of the Laws of 1906, entitled 'An act in relation to acquiring a site therefor, and the erection of public buildings for the use of Cortland county and the city of Cortland,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Burr (No. 482, Int. No. 430), entitled "An act to amend the Railroad Law, in relation to the consents of local authorities," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Travis moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 20, Int. No. 20), entitled "An act to amend the Primary Election Law, in relation to direct nominations and to provide for the expense thereof in the year 1907," and that said bill be amended, reprinted and recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McCarren moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 511, Int. No. 328), entitled "An act to amend the Greater New York charter, in relation to the fixing of salaries by the board of education," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence a resolution in the words following:

"Whereas, The announcement of the death in this city yesterday of the Honorable Jean LaRue Burnett, member of Assembly from the county of Ontario, has occasioned the deepest sorrow to all members of the Legislature, and especially to those who have become so greatly attached to him during his long and distinguished career in the Assembly since the session of 1899:

Be it resolved (if the Senate concur), That a committee of six members of Assembly be appointed by the Speaker as an escort to accompany the remains to his home in the village of Canandaigua; that all members of Assembly who have served with him in this body previous to the present session, and the members of the committee on affairs of cities, of which the deceased has been chairman since the session of 1903, be designated as a committee to attend the funeral in behalf of the Assembly; and that

a committee of twenty-six Senators be appointed by the President of the Senate as a like committee in behalf of the Senate:

It is further resolved (if the Senate concur), That as a further token of respect to the memory of the deceased, no session of the Legislature shall be held on the day of the funeral, Friday, March first, but that when the Legislature adjourns on Thursday, the 28th inst., it be to meet on Monday evening, March fourth, at 8:30 o'clock."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, by a rising vote.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The President appointed as such committee on behalf of the Senate, Senators Raines, Grady, Wilcox, McCarren, White, Davis, Armstrong, Cullen, Allds, Hill, Hooker, McManus, Fancher, Grattan, Mullaney, Agnew, Knapp, Wemple, Sohmer, Foelker, Hasenflug, Thompson, Smith, Fuller, Harte and Cohalan.

The Assembly returned the Senate bill (No. 15, Int. No. 15) entitled "An act to amend section 7 of chapter 93 of the Laws of 1906, entitled 'An act to make the office of county clerk of Cayuga county a salaried office and regulating the management of said office.'"

Also, Senate bill (No. 292, Int. No. 189) entitled "An act to amend section 484 of the Code of Civil Procedure, in relation to joining in the same complaint causes of action for penalties incurred for violation of the Public Health Law."

Also, Senate bill (No. 234, Int. No. 225) entitled "An act to amend chapter 319 of the Laws of 1903, entitled 'An act to make the office of sheriff of Herkimer county a salaried office and to regulate the management of said office,' relative to fees of deputy sheriffs," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Armstrong moved that the Senate do now adjourn.

The Senate put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, FEBRUARY 28, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. J. Dominic.

The journal of yesterday was read and approved.

Mr. Harte introduced a bill (Int. No. 536) entitled "An act to amend the County Law, relative to the appointment of assistant district attorney in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Fuller introduced a bill (Int. No. 537) entitled "An act to amend chapter 125 of the Laws of 1906, entitled 'An act in relation to illuminating gas in the city of New York and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation in relation to the price to be charged for gas in the thirtieth and thirty-first wards of the borough of Brooklyn,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

Mr. Taylor introduced a bill (Int. No. 538) entitled "An act to amend the Code of Civil Procedure, relative to appointment of stenographers in certain counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Knapp introduced a bill (Int. No. 539) entitled "An act to amend chapter 1026 of the Laws of 1895, entitled 'An act to provide for the appointment of a State Commission of Prisons, and defining its duties and powers,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Wemple introduced a bill (Int. No. 540) entitled "An act to amend the Railroad Law, in relation to the inspection of locomotive boilers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. O'Neil introduced a bill (Int. No. 541) entitled "An act to incorporate the Long Sault Development Company, and to

authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Hooker introduced a bill (Int. No. 542) entitled "An act to legalize, and to provide for the payment of, bonds of the village of Bergen, Genesee county, New York, sold and issued for the purpose of defraying the expense for the establishment of a system of water-works for supplying said village and its inhabitants with water," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hill introduced a bill (Int. No. 543) entitled "An act to amend the Tax Law, relative to investment in State bonds by certain corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Fancher introduced a bill (Int. No. 544) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to fees of officers in certain cases," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 545) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to ordinances enacted by the common council, and the enforcement thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hasenflug introduced a bill (Int. No. 546) entitled "An act to amend the Civil Service Law, in relation to honorably discharged members of the National Guard or Naval Militia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

THURSDAY, FEBRUARY 28, 1907.

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authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

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Also, a bill (Int. No. 545) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to ordinances enacted by the common council, and the enforcement thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hasenflug introduced a bill (Int. No. 546) entitled "An act to amend the Civil Service Law, in relation to honorably discharged members of the National Guard or Naval Militia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Harte introduced a bill (Int. No. 547) entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' in relation to the thoroughfares of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cassidy introduced a bill (Int. No. 548) entitled "An act to amend the Navigation Law, in relation to regattas held on certain waters within the jurisdiction of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The Assembly sent for concurrence the bill (No. 688, Rec. No. 106) entitled "An act to empower the commissioners of the land office to hear the memorial of the Cayuga Nation of Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 559, Rec. No. 107) entitled "An act to amend the Forest, Fish and Game Law, relating to the taking, possession and sale of Mongolian ring-necked and English pheasants in the counties of Orleans, Monroe, Wayne, Ontario, Livingston and Suffolk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 842, Rec. No. 108) entitled "An act to provide for the construction of intercepting sewers in and for the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 846, Rec. No. 109) entitled "An act to enable the fire commissioner of the city of New York to re-examine and determine the claim of Daniel W. Price for reinstatement in said department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 915, Rec. No. 110) entitled "An act validating and legalizing certain conveyances of real estate to the

village of Turin, Lewis county, New York, for the purpose of its water supply system," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Also, the bill (No. 210, Rec. No. 111) entitled "An act for the relief of Bartholomew Moynahan, in payment for services as stenographer and for stenographic minutes of trials, held in the criminal branch, Trial Term, Part I of the Supreme Court, furnished to the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 468, Rec. No. 112) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Frances Truszkowska against the State of New York for damages alleged to have been sustained by her on the State reservation at Niagara on or about the fifth day of July, 1903," which was read the first time, and by unanimous consent was read the second time.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on the judiciary, retaining its place on the order of third reading.

Also, the bill (No. 916, Rec. No. 113) entitled "An act to amend chapter 212 of the Laws of 1896, entitled 'An act to provide for the care of court papers, judgment rolls and other papers and instruments in the Rensselaer county clerk's office,' in relation to salary of custodian," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 316, Rec. No. 114) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Jennie Mullady, as administratrix with the will annexed of the estate of Patrick Mullady, deceased, against the State and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 918, Rec. No. 115) entitled "An act to amend the Forest, Fish and Game Law, in relation to the powers of the supervisors of Oneida county in respect to nets, pounds and other illegal devices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 847, Rec. No. 116) entitled "An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths in Suffolk county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 675, Rec. No. 117) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Helen K. Sheehy against the State of New York for services performed by her as stenographer in the State department of public instruction during the year 1903," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 917, Rec. No. 118) entitled "An act to amend the Forest, Fish and Game Law, in relation to close season for hares and rabbits in Fulton county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 125, Rec. No. 119) entitled "An act authorizing the board of estimate and apportionment of the city of New York, in its discretion, to direct that the cost and expense of opening, widening or extending streets in said city for the purpose of using such streets as an approach to the bridges connecting various boroughs of said city, shall be borne and paid by the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 328, Rec. No. 120) entitled "An act for the relief of Eugene Lentilhon, in payment for work done for and material furnished to the city of New York," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 196, Rec. No. 121) entitled "An act relative to the admission to the State bar examinations, John C. Hackett," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 487, Rec. No. 122) entitled "An act to provide for the laying out of a public park or playground in the first ward of the borough of Queens in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 912, Rec. No. 123) entitled "An act to amend the Code of Civil Procedure, relative to the allowance made by supervisors to grand and trial jurors in certain counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 680, Rec. No. 124) entitled "An act to amend chapter 195 of the Laws of 1886, entitled 'An act to make the office of county clerk of Monroe county a salaried office and regulating the management of said office,' in relation to the salary of special deputy clerks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 732, Rec. No. 125) entitled "An act to regulate, fix and prescribe tolls for motor vehicles traveling upon toll roads and bridges where such tolls are not otherwise prescribed by law," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on internal affairs of towns and cities.

Also, the bill (No. 764, Rec. No. 126) entitled "An act to amend chapter 594 of the Laws of 1899, entitled 'An act authorizing boards of supervisors to acquire the rights, franchises and property of individuals and corporations exacting toll for the use of turnpikes, plank roads and bridges,' in relation to bridges over the Hudson river above Waterford," which was read the first time, and by unanimous consent was also read the second

was referred the Assembly bill introduced by Mr. O'Brian (No. 774, Rec. No. 94), entitled "An act to amend chapter 203 of the Laws of 1906, entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of extending and improving the supply of water to the city and its inhabitants,' in relation to the rate of interest on said bonds," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, said bill was substituted for Senate bill (No. 479, Int. No. 427), now on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Schoeneck, (No. 265, Rec. No. 64), entitled "An act to amend chapter 659 of the Laws of 1905, entitled 'An act to provide for the erection of a new high school in the city of Syracuse,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Davis (No. 74, Int. No. 74), entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, New York, in constructing sewers in Edson street, Duerstein avenue and Burch avenue, in said town of West Seneca, and making assessments therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Gates (No 545, Int. No. 471), entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Senate bill (No. 556, Int. No. 482) entitled "An act to amend chapter 195 of the Laws of 1906, entitled 'An act to establish and maintain a water department in and for the city of Corning,'" having been announced for third reading, Mr. Tully moved that said bill be recommitted to the committee on

legalizé, ratify and confirm the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, New York, in establishing sewer district number one in said town and contracting for the construction of a system of sewers, pumping plant and disposal plant in such district."

Also, Senate bill (No. 479, Int. No. 427) entitled "An act to amend chapter 203 of the Laws of 1906, entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of extending and improving the supply of water to the city and its inhabitants,' in relation to rate of interest on said bonds."

Also, Senate bill (No. 491, Int. No. 437) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' conferring authority upon said city to borrow money temporarily from the banks designated by the common council as depositories in and in anticipation of the collection of taxes and resources."

Mr. Cassidy, from the committee on public health, to which was referred the Assembly bill introduced by Mr. Hastings (No. 465, Rec. No. 58), entitled "An act to amend the Public Health Law, in relation to pharmacists," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 263, Int. No. 251), entitled "An act to authorize the mayor of the city of Utica to appoint a commission to investigate plans for developing or acquiring a municipal water supply for said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 439, Int. No. 391), entitled "An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' relative to revising several sections of said charter," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which

was referred the Assembly bill introduced by Mr. O'Brian (No. 774, Rec. No. 94), entitled "An act to amend chapter 203 of the Laws of 1906, entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of extending and improving the supply of water to the city and its inhabitants,' in relation to the rate of interest on said bonds," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, said bill was substituted for Senate bill (No. 479, Int. No. 427), now on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Schoeneck, (No. 265, Rec. No. 64), entitled "An act to amend chapter 659 of the Laws of 1905, entitled 'An act to provide for the erection of a new high school in the city of Syracuse,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Davis (No. 74, Int. No. 74), entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, New York, in constructing sewers in Edson street, Duerstein avenue and Burch avenue, in said town of West Seneca, and making assessments therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Gates (No 545, Int. No. 471), entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Senate bill (No. 556, Int. No. 482) entitled "An act to amend chapter 195 of the Laws of 1906, entitled 'An act to establish and maintain a water department in and for the city of Corning,'" having been announced for third reading, Mr. Tully moved that said bill be recommitted to the committee on

affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 2, strike out the word "to" and insert the word "of".

Page 3, line 3, strike out the word "condition" and insert the word "conditions."

Same page, line 10, after the word "of" insert the word "the".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 502, Int. No. 97) entitled "An act to create and establish a fireman's relief and pension fund for the fire department of the city of Utica and authorizing the granting and payment of pensions and relief to the officers and members of said department entitled thereto," having been announced for third reading, Mr. White moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 3, line 18, strike out the period and add the words, "belonging to the city of Utica".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Agnew moved that the committee on internal affairs of towns and counties be discharged from the consideration of Senate bill (No. 484, Int. No. 411) entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and provide for the payment thereof, and appointing a commission to carry out the purposes of the act," and that said bill be amended, the title amended to read as follows: "An act to provide for preserving the waters of the Bronx river from pollution; creating a reserva-

tion of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act," and that the same be reprinted and recommitted to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the Senate bill (No. 339, Int. No. 310) entitled "An act to amend chapter 341 of the Laws of 1906, entitled 'An act to amend chapter 173 of the Laws of 1895, entitled "An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions, and officers of the county of Erie, relative to the office of the county auditor," and the acts amendatory thereof and supplemental thereto in relation to the powers and duties of the county auditor,' relating to the duties and compensation of the county auditor and the purchase of supplies for said county of Erie."

Also, Senate bill (No. 418, Int. No. 376) entitled "An act to amend chapter 485 of the Laws of 1887, entitled 'An act to establish a board of police and fire commissioners of the village of Herkimer,' in relation to the compensation of policemen and the chief of police."

Also, Senate bill (No. 344, Int. No. 153) entitled "An act to amend chapter 213 of the Laws of 1904, entitled 'An act to make the office of county clerk of Orange county a salaried office and regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to the fees of such clerk," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, MARCH 4, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. H. R. Talbot.

The journal of Thursday, February 28, was read and approved.

Mr. Mullaney introduced a bill (Int. No. 549) entitled "An act to regulate the height of buildings in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sohmer introduced a bill (Int. No. 550) entitled "An act in relation to the court of general sessions of the county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Page introduced a bill (Int. No. 551) entitled "An act to amend section 881 of the Code of Civil Procedure, relative to the reading in evidence of the deposition of a party, now deceased, in an action subsequently brought by decedent's executor or administrator," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 552) entitled "An act to provide for the payment of the claim of James Shewan and Sons, for work, labor and services or materials and supplies furnished for the repairs to the city ferry boats, under order or direction of the department of docks and ferries, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Owens introduced a bill (Int. No. 553) entitled "An act to amend the Military Code, in relation to inventories of supplies and furniture for armories in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on military affairs.

Also, a bill (Int. No. 554) entitled "An act to amend the Greater New York charter, relative to the duties of the corporation counsel in relation to uncollectable taxes," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 555) entitled "An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Allds introduced a bill (Int. No. 556) entitled "An act to amend the Code of Civil Procedure, in relation to appeals from orders," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 557) entitled "An act to amend chapter 7 of the Laws of 1904, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to the paid police force," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Grattan introduced a bill (Int. No. 558) entitled "An act to amend the Banking Law, relative to the payment of deposits in savings banks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, a bill (Int. No. 559) entitled "An act to legalize, ratify and confirm an agreement between the United Traction Company, a domestic corporation, and the county of Albany, relative to the discontinuance of certain toll charges by said company, on certain lands owned by said company and used as a turnpike, and providing for the repair, improvement and maintenance thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 560) entitled "An act to amend the Insanity Law, relative to the support and maintenance of patients in State hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Emerson introduced a bill (Int. No. 561) entitled "An act to amend the Navigation Law, in relation to the protection of navigation on Lake George," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Gates introduced a bill (Int. No. 562) entitled "An act to amend the Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Franchot introduced a bill (Int. No. 563) entitled "An act making an appropriation to provide additional means of drainage of lands in the town of Wheatfield, in the county of Niagara, by deepening and improving Sawyers creek and its tributaries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Hill introduced a bill (Int. No. 564) entitled "An act to amend the Primary Election Law, as amended by chapter 204 of the Laws of 1900, chapter 111 of the Laws of 1903 and by chapter 674 of the Laws of 1905," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Foelker introduced a bill (Int. No. 565) entitled "An act to amend the Penal Code, relative to the punishment for the crime of blackmail," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 566) entitled "An act to amend the Code of Criminal Procedure, relative to the punishment for the crime of extortion in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 567), entitled "An act to amend the Code of Criminal Procedure, relative to the punishment for the crime of sending, et cetera, threatening or annoying letters, et cetera," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1009, Rec. No. 138) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to connecting highways through villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1038, Rec. No. 139) entitled "An act to repeal chapter 682 of the Laws of 1894, entitled 'An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Agnew offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return to the Senate of the Senate bill (No. 343, Int. No. 37), entitled "An act to amend the Code of Civil Procedure in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The President presented the report of the State Commission of Prisons, which was laid upon the table and ordered printed.

(See Document.)

The President presented the report of the Superintendent of Banks, relative to building and loan associations, etc., which was laid upon the table and ordered printed.

(See Document.)

The Assembly bill (No. 817, Rec. No. 98) entitled "An act to authorize the common council of the city of New Rochelle to

terminal of said bridge,' in relation to changing plans and specifications and acquiring leasehold and other interests in real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1040, Rec. No. 132) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the salary of the city judge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1041, Rec. No. 133) entitled 'An act to revise the charter of the city of Yonkers, relating to the expense for street improvement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1037, Rec. No. 134), entitled "An act to authorize the city of Yonkers to borrow money by the issue of bonds for the purchase of land and the appurtenances thereof for park purposes and for the payment of the purchase price of lands already contracted for for park purposes, and for the grading and improving of the same within the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1036, Rec. No. 135), entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' relative to the issue of bonds for street pavements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1033, Rec. No. 136), entitled "An act to abolish and remove the New York City Home for the Aged and Infirm, Brooklyn division," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1042, Rec. No. 137) entitled "An act to amend the Highway Law, in relation to cutting and destroying weeds, briars and brush, in the highways," which was read the first time, and by unanimous consent was also read the second

time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1009, Rec. No. 138) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to connecting highways through villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1038, Rec. No. 139) entitled "An act to repeal chapter 682 of the Laws of 1894, entitled 'An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Agnew offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return to the Senate of the Senate bill (No. 343, Int. No. 37), entitled "An act to amend the Code of Civil Procedure in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The President presented the report of the State Commission of Prisons, which was laid upon the table and ordered printed.

(See Document.)

The President presented the report of the Superintendent of Banks, relative to building and loan associations, etc., which was laid upon the table and ordered printed.

(See Document.)

The Assembly bill (No. 817, Rec. No. 98) entitled "An act to authorize the common council of the city of New Rochelle to

issue and sell certificates of indebtedness for the purpose of defraying the expense of constructing new buildings in Hudson park in said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | Hooker | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Dunn | Grattan | McManus | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Boyce | Foelker | Hasenflug | O'Neil | Travis |
| Burr | Franchot | Heacock | Page | Wemple |
| Carpenter | Frawley | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
| Cobb | | | | |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 699, Rec. No. 70) entitled "An act to amend the Village Law, in relation to street improvement," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | Hooker | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Dunn | Grattan | McManus | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Boyce | Foelker | Hasenflug | Owens | Travis |
| Burr | Franchot | Heacock | Page | Wemple |
| Carpenter | Frawley | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
| Cobb | | | | |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 532, Int. No. 345) entitled "An act to compel the New York and Harlem Railroad Company, lessor, and the New York Central and Hudson River Railroad Company, lessee, to construct foot-bridges or passageways for pedestrians over or under their tracks on certain streets in the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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| Ackroyd | Cohalan | Gates | Hooker | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Dunn | Grattan | McManus | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Boyce | Foelker | Hasenflug | Owens | Travis |
| Burr | Franchot | Heacock | Page | Wemple |
| Carpenter | Frawley | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
| Cobb | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 915, Rec. No. 110) entitled "An act validating and legalizing certain conveyances of real estate to the village of Turin, Lewis county, New York, for the purpose of its water supply system," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | Hooker | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Dunn | Grattan | McManus | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Boyce | Foelker | Hasenflug | Owens | Travis |
| Burr | Franchot | Heacock | Page | Wemple |
| Carpenter | Frawley | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
| Cobb | | | | |

41

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | Hooker | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Dunn | Grattan | McManus | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Boyce | Foelker | Hasenflug | Owens | Travis |
| Burr | Franchot | Heacock | Page | Wemple |
| Carpenter | Frawley | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
| Cobb | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 507, Int. No. 236) entitled "An act to provide for the payment of the claim of John M. Phillips, for work and material furnished the bureau of highways of the borough of Queens, the city of New York, during the year 1903," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | Hooker | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Dunn | Grattan | McManus | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Boyce | Foelker | Hasenflug | Owens | Travis |
| Burr | Franchot | Heacock | Page | Wemple |
| Carpenter | Frawley | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
| Cobb | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 491, Int. No. 437) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to re-

FOR THE AFFIRMATIVE.

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| Ackroyd | Cohalan | Gilchrist | Hooker | Sullivan |
| Agnew | Cullen | Grattan | McManus | Taylor |
| Armstrong | Dunn | Harte | Mullaney | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Wemple |
| Carpenter | Franchot | Hill | Saxe | White |
| Cassidy | Frawley | Hinman | Sohmer | Wilcox |
| Cobb | Gates | | | |

37

FOR THE NEGATIVE.

Allds Fuller

2

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 379, Int. No. 336) entitled "An act to amend chapter 214 of the Laws of 1887, entitled 'An act to organize and establish a police department for the village of Saratoga Springs, and defining its powers and duties,' in relation to the police commissioner," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobb | Fuller | Hinman | Saxe |
| Agnew | Cohalan | Gates | Hooker | Sohmer |
| Allds | Cullen | Gilchrist | McCarren | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Travis |
| Burr | Foelker | Hasenflug | Owens | Wemple |
| Carpenter | Franchot | Heacock | Page | White |
| Cassidy | Frawley | Hill | Ramsperger | Wilcox |

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FOR THE NEGATIVE.

Thompson

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Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 509, Int. No. 351) entitled "An act to amend chapter 506 of the Laws of 1902, entitled 'An act to amend the charter of the village of Saratoga Springs and to provide for the appointment of sewer, water and street commissioners for said village, and to prescribe their powers and duties,' and repealing sections 7 and 44-a thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | Hooker | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Dunn | Grattan | McManus | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Boyce | Foelker | Hasenflug | Owens | Travis |
| Burr | Franchot | Heacock | Page | Wemple |
| Carpenter | Frawley | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
| Cobb | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 507, Int. No. 236) entitled "An act to provide for the payment of the claim of John M. Phillips, for work and material furnished the bureau of highways of the borough of Queens, the city of New York, during the year 1903," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | Hooker | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Dunn | Grattan | McManus | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Boyce | Foelker | Hasenflug | Owens | Travis |
| Burr | Franchot | Heacock | Page | Wemple |
| Carpenter | Frawley | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
| Cobb | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 491, Int. No. 437) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to re-

The Assembly bill (No. 416, Senate reprint No. 530, Rec. No. 20) entitled "An act making appropriations for the erection of certain buildings at the Binghamton State Hospital and the Kings Park State Hospital," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobb | Gates | Hooker | Sohmer |
| Agnew | Cohalan | Gilchrist | McCarren | Sullivan |
| Allds | Cullen | Grattan | McManus | Taylor |
| Armstrong | Dunn | Harte | Mullaney | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Wemple |
| Carpenter | Franchot | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, with amendments.

The Senate bill (No. 531, Int. No. 330) entitled "An act to amend the Greater New York charter, in relation to retiring members of the fire department," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobb | Gates | Hooker | Sohmer |
| Agnew | Cohalan | Gilchrist | McCarren | Sullivan |
| Allds | Cullen | Grattan | McManus | Taylor |
| Armstrong | Dunn | Harte | Mullaney | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Wemple |
| Carpenter | Franchot | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
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Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 561, Int. No. 256) entitled "An act to amend section 1 of chapter 438 of the Laws of 1897, in relation to the office of the district attorney of the county of Kings," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobb | Fuller | Hooker | Sohmer |
| Agnew | Cohalan | Gilchrist | McCarren | Sullivan |
| Allds | Cullen | Grattan | McManus | Taylor |
| Armstrong | Dunn | Harte | Mullaney | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Wemple |
| Carpenter | Franchot | Hill | Ramsperger | White |
| Cassidy | Frawley | Hinman | Saxe | Wilcox |

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Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 559, Int. No. 102) entitled "An act to amend the County Law, relative to the duties and salaries of the assistant district attorneys of the county of Erie," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobb | Gates | Hooker | Sohmer |
| Agnew | Cohalan | Gilchrist | McCarren | Sullivan |
| Allds | Cullen | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | Owens | Thompson |
| Boyce | Emerson | Hasenflug | Page | Travis |
| Burr | Foelker | Heacock | Ramsperger | Wemple |
| Carpenter | Franchot | Hill | Saxe | White |
| Cassidy | Fuller | Hinman | Smith | Wilcox |

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Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 147, Int. No. 144) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city," relating to the duties of the treasurer,' " was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cobb | Fuller | Hinman | Sullivan |
| Agnew | Cohalan | Gates | Hooker | Taylor |
| Allds | Cullen | Gilchrist | McCarren | Thompson |
| Armstrong | Dunn | Grattan | O'Neil | Travis |
| Boyce | Emerson | Harte | Owens | Tully |
| Burr | Fancher | Hasenflug | Page | Wemple |
| Carpenter | Foelker | Heacock | Saxe | White |
| Cassidy | Franchot | Hill | Sohmer | Wilcox |

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Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 774, Rec. No. 94) entitled "An act to amend chapter 203 of the Laws of 1906, entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of extending and improving the supply of water to the city and its inhabitants,' in relation to rate of interest on said bonds," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

The Senate bill (No. 557, Int. No. 184) entitled "An act to amend the Greater New York charter, in relation to conferring additional powers and jurisdiction upon the park board and the commissioner of parks for the borough of Manhattan and Richmond," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobb | Gates | Hooker | Sohmer |
| Agnew | Cohalan | Gilchrist | McCarren | Sullivan |
| Allis | Cullen | Grattan | McManus | Taylor |
| Armstrong | Dunn | Harte | Mullaney | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Wemple |
| Carpenter | Franchot | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |

40

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 428, Int. No. 257) entitled "An act to amend section 202 of the Tax Law to relieve local assessors from the duty of assessing property of trust companies which is not locally taxable," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobb | Gilchrist | McManus | Sullivan |
| Agnew | Cohalan | Grattan | Mullaney | Taylor |
| Allis | Cullen | Harte | Owens | Travis |
| Boyce | Emerson | Hasenflug | Ramsperger | Wemple |
| Burr | Foelker | Heacock | Saxe | White |
| Carpenter | Franchot | Hill | Sohmer | Wilcox |
| Cassidy | Fuller | McCarren | | |

33

FOR THE NEGATIVE.

| | | |
|-----------|--------|------|
| Armstrong | Hinman | Page |
|-----------|--------|------|

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 147, Int. No. 144) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city," relating to the duties of the treasurer,' " was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cobb | Fuller | Hinman | Sullivan |
| Agnew | Cohalan | Gates | Hooker | Taylor |
| Allds | Cullen | Gilchrist | McCarren | Thompson |
| Armstrong | Dunn | Grattan | O'Neil | Travis |
| Boyce | Emerson | Harte | Owens | Tully |
| Burr | Fancher | Hasenflug | Page | Wemple |
| Carpenter | Foelker | Heacock | Saxe | White |
| Cassidy | Franchot | Hill | Sohmer | Wilcox |

40

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 774, Rec. No. 94) entitled "An act to amend chapter 203 of the Laws of 1906, entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of extending and improving the supply of water to the city and its inhabitants,' in relation to rate of interest on said bonds," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | Hooker | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Dunn | Grattan | McManus | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Boyce | Foelker | Hasenflug | Owens | Travis |
| Burr | Franchot | Heacock | Page | Wemple |
| Carpenter | Frawley | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
| Cobb | | | | |

41

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 562, Int. No. 255) entitled "An act to amend the Code of Civil Procedure, in relation to the appointment of special deputy clerks," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the negative, a majority of all the Senators elected not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|---------|----------|----------|
| Ackroyd | Foelker | Grattan | McCarren | Sullivan |
| Agnew | Franchot | Heacock | Page | Travis |
| Burr | Gilchrist | Hill | Saxe | Wemple |
| Carpenter | | | | |

16

FOR THE NEGATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Allds | Cohalan | Harte | Mullaney | Taylor |
| Armstrong | Cullen | Hasenflug | Owens | Thompson |
| Boyce | Dunn | Hinman | Ramsperger | White |
| Cassidy | Frawley | Hooker | Sohmer | Wilcox |
| Cobb | Gates | | | |

22

Mr. Hill moved to reconsider the vote by which said bill was lost, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Senate bill (No. 274, Int. No. 261) entitled "An act to amend the Village Law, in relation to street improvement," having been announced for third reading, Mr. Wemple moved that said bill be recommitted to the committee on affairs of villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill moved that the committee on finance be discharged from the consideration of Senate bill (No. 628, Int. No. 543) entitled "An act to amend the Tax Law, relative to investment in State bonds by certain corporations," and that said bill be amended, reprinted and recommitted to the committee on taxation and retrenchment.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Gilchrist moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 585, Int. No. 504) entitled "An act to amend the Legislative Law, relative to privileges of witnesses," and that said bill be amended, reprinted and recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hinman offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the mayor of the city of Cortland requesting the return to the Senate of Senate bill (No. 399, Int. No. 356) entitled "An act to amend chapter 160 of the Laws of 1900, entitled 'An act to incorporate the city of Cortland,' relative to revising and adding to certain sections of the charter," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the mayor of the city of Cortland.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 505, Int. No. 202), entitled "An act to amend the Village Law, in relation to the compensation of the president and trustees, in villages having a population of 14,000 or over."

(2) Senate (No. 534, Int. No. 64), entitled "An act to release to George C. Kline all the right, title and interest of the people of the State of New York, in and to real estate situate, lying and being in the city, county and State of New York, acquired by escheat or otherwise."

(3) Senate (No. 257, Int. No. 245), entitled "An act to release to Giuseppe Barese all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the village of Ossining, county of Westchester and State of New York."

(4) Senate (No. 536, Int. No. 280), entitled "An act to incorporate young people's missionary movement of the United States and Canada."

(5) Senate (No. 356, Int. No. 323), entitled "An act to repeal section 75-a of the Forest, Fish and Game Law."

(6) Senate (No. 377, Int. No. 334), entitled "An act to amend chapter 159 of the Laws of 1905, entitled 'An act to incorporate the trustees of the Eastern Star hall and home of the State of New York and their successors under the corporate name of the trustees of the Eastern Star hall and home of the State of New York,' in relation to the objects of such corporation."

(7) Senate (No. 402, Int. No. 359), entitled "An act to amend section 13 of chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws,' relating to the purchase, sale, mortgage and lease of real property."

(8) Senate (No. 422, Int. No. 380), entitled "An act to amend the Executive Law, in relation to the appointment of commissioners of deeds in other States, Territories and foreign countries."

(9) Assembly (No. 554, Rec. No. 36), entitled "An act to amend the Forest, Fish and Game Law, in relation to excepting the county of Lewis from the provisions relating to the close season for black bear."

(10) Assembly (No. 435, Rec. No. 46), entitled "An act to legalize and confirm the organization and existence of union free school district No. 4 of the town of Greece, and to legalize and confirm all proceedings of the board of education and legal voters of such union free school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district."

the passage of the above-named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, MARCH 5, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. C. A. Richmond.

The journal of yesterday was read and approved.

Mr. Agnew introduced a bill (Int. No. 570) entitled "An act to amend the Greater New York charter, relative to the art commission," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gates introduced a bill (Int. No. 571) entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The President announced that Senate bill (No. 650, Int. No. 561) entitled "An act to amend the Navigation Law, in relation to the protection of navigation on Lake George," introduced March 4th, having been erroneously referred to the committee on commerce and navigation, the reference of said bill is now changed to the committee on finance.

The Assembly sent for concurrence the bill (No. 82, Rec. No. 140) entitled "An act to repeal article 13 of the Labor Law relative to horseshoers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

New York heretofore deposited or filed in the office of the register of the county of New York."

(18) Senate (No. 482, Int. No. 430), entitled "An act to amend the Railroad Law, in relation to the consents of local authorities."

(19) Senate (No. 529, Int. No. 462), entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York to refund assessments made upon property for acquiring title to East River park, bounded by Eighty-sixth street, East river and Avenue B in the city of New York."

(20) Assembly (No. 722, Rec. No. 71), entitled "An act to amend chapter 87 of the Laws of 1898, as amended by chapter 595 of the Laws of 1906, entitled 'An act to amend chapter 541 of the Laws of 1865, entitled "An act to incorporate the city of Newburgh," and the several acts amendatory thereof,' in relation to the improvement of streets in said city."

(21) Senate (No. 74, Int. No. 74), entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, New York, in constructing sewers in Edson street, Duerstein avenue and Burch avenue, in said town of West Seneca, and making assessments therefor."

22) Senate (No. 439, Int. No. 391), entitled "An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' relative to revising several sections of said charter."

(23) Senate (No. 545, Int. No. 471), entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers."

(24) Assembly (No. 265, Rec. No. 64), entitled 'An act to amend chapter 659 of the Laws of 1905, entitled 'An act to provide for the erection of a new high school in the city of Syracuse.'"

After some time spent therein, the President resumed the chair, and Mr. Cassidy, from the said committee, reported in favor of

the passage of the above-named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, MARCH 5, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. C. A. Richmond.

The journal of yesterday was read and approved.

Mr. Agnew introduced a bill (Int. No. 570) entitled "An act to amend the Greater New York charter, relative to the art commission," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gates introduced a bill (Int. No. 571) entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The President announced that Senate bill (No. 650, Int. No. 561) entitled "An act to amend the Navigation Law, in relation to the protection of navigation on Lake George," introduced March 4th, having been erroneously referred to the committee on commerce and navigation, the reference of said bill is now changed to the committee on finance.

The Assembly sent for concurrence the bill (No. 82, Rec. No. 140) entitled "An act to repeal article 13 of the Labor Law relative to horseshoers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

to legalize and confirm the organization and existence of union free school district No. 4 of the town of Greece, and to legalize and confirm all proceedings of the board of education and legal voters of such union free school district relative to the levy of a tax and the issuance and sale of certain bonds of said district," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Hinman | Saxe |
| Agnew | Cordts | Gates | Hooker | Sohmer |
| Armstrong | Cullen | Gilchrist | Knapp | Taylor |
| Boyce | Dunn | Grattan | McCarren | Thompson |
| Burr | Emerson | Harte | Mullaney | Wemple |
| Carpenter | Fancher | Hasenflug | Owens | White |
| Cassidy | Foelker | Heacock | Page | Wilcox |
| Cobb | Franchot | Hill | Ramsperger | |

39

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 554, Rec. No. 36) entitled "An act to amend the Forest, Fish and Game Law in relation to excepting the county of Lewis from the provisions relating to the close season for black bear," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gilchrist | Knapp | Sullivan |
| Agnew | Dunn | Grattan | McCarren | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Boyce | Fancher | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Wemple |
| Carpenter | Franchot | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
| Cobb | Gates | Hooker | Sohmer | |

39

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 566, Int. No. 288) entitled "An act to amend section 523 of the Code of Criminal Procedure, relative to service of notice of appeal when judgment is of death," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Hooker | Saxe |
| Agnew | Cullen | Gilchrist | Knapp | Sohmer |
| Armstrong | Dunn | Grattan | McCarren | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Carpenter | Fancher | Hasenflug | Owens | Wemple |
| Cassidy | Foelker | Heacock | Page | White |
| Cobb | Franchot | Hill | Ramsperger | Wilcox |
| Cohalan | Fuller | Hinman | | |

38

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 599, Int. No. 214) entitled "An act to amend the Code of Civil Procedure, relative to attachments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobb | Fuller | Hinman | Sohmer |
| Agnew | Cohalan | Gates | Hooker | Sullivan |
| Allds | Cordts | Gilchrist | Knapp | Taylor |
| Armstrong | Cullen | Grattan | McCarren | Thompson |
| Boyce | Dunn | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Wemple |
| Carpenter | Foelker | Heacock | Ramsperger | White |
| Cassidy | Franchot | Hill | Saxe | Wilcox |

40

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

to legalize and confirm the organization and existence of union free school district No. 4 of the town of Greece, and to legalize and confirm all proceedings of the board of education and legal voters of such union free school district relative to the levy of a tax and the issuance and sale of certain bonds of said district," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobalan | Fuller | Hinman | Saxe |
| Agnew | Cordts | Gates | Hooker | Sohmer |
| Armstrong | Cullen | Gilchrist | Knapp | Taylor |
| Boyce | Dunn | Grattan | McCarren | Thompson |
| Burr | Emerson | Harte | Mullaney | Wemple |
| Carpenter | Fancher | Hasenflug | Owens | White |
| Cassidy | Foelker | Heacock | Page | Wilcox |
| Cobb | Franchot | Hill | Ramsperger | |

39

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 554, Rec. No. 36) entitled "An act to amend the Forest, Fish and Game Law in relation to excepting the county of Lewis from the provisions relating to the close season for black bear," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobalan | Gilchrist | Knapp | Sullivan |
| Agnew | Dunn | Grattan | McCarren | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Boyce | Fancher | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Wemple |
| Carpenter | Franchot | Hill | Ramsperger | White |
| Cassidy | Fuller | Hinman | Saxe | Wilcox |
| Cobb | Gates | Hooker | Sohmer | |

39

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 566, Int. No. 288) entitled "An act to amend section 523 of the Code of Criminal Procedure, relative to service of notice of appeal when judgment is of death," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Hooker | Saxe |
| Agnew | Cullen | Gilchrist | Knapp | Sohmer |
| Armstrong | Dunn | Grattan | McCarren | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Carpenter | Fancher | Hasenflug | Owens | Wemple |
| Cassidy | Foelker | Heacock | Page | White |
| Cobb | Franchot | Hill | Ramsperger | Wilcox |
| Cohalan | Fuller | Hinman | | |

38

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 599, Int. No. 214) entitled "An act to amend the Code of Civil Procedure, relative to attachments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobb | Fuller | Hinman | Sohmer |
| Agnew | Cohalan | Gates | Hooker | Sullivan |
| Allis | Cordts | Gilchrist | Knapp | Taylor |
| Armstrong | Cullen | Grattan | McCarren | Thompson |
| Boyce | Dunn | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Wemple |
| Carpenter | Foelker | Heacock | Ramsperger | White |
| Cassidy | Franchot | Hill | Saxe | Wilcox |

40

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 75, Int. No. 75) entitled "An act to legalize, ratify and confirm the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, N. Y., in establishing sewer district No. 1 in said town and contracting for the construction of a system of sewers, pumping plant and disposal plant in such district," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE:

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | Hooker | Saxe |
| Agnew | Cullen | Gilchrist | Knapp | Sohmer |
| Armstrong | Dunn | Grattan | McCarren | Sullivan |
| Boyce | Emerson | Harte | McManus | Thompson |
| Burr | Fancher | Hasenflug | Mullaney | Travis |
| Carpenter | Foelker | Heacock | Owens | Wemple |
| Cassidy | Franchot | Hill | Page | White |
| Cobb | Fuller | Hinman | Ramsperger | Wilcox |
| | | | | 40 |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 402, Int. No. 359) entitled "An act to amend section 13 of chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws,' relating to the purchase, sale, mortgage and lease of real property," having been announced for third reading, Mr. Saxe moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 4, after the word "laws" insert "as amended by chapter four hundred and thirty-one of the laws of nineteen hundred and four."

Page 3, line 5, after "death" insert the word "pass." Same page, line 16, after the word "portion" italicize "of a cemetery."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 363, Int. No. 41) entitled "An act to amend section 1781 of the Code of Civil Procedure, in relation to actions against directors, etc., of a corporation for misconduct," having been announced for third reading, Mr. Saxe moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 2, strike out the words "actionable negligence" and insert the words "any neglect of, or failure to perform their duties."

Same page, line 7, strike out all of line after the word "by" and all of line 8 and in lieu thereof insert the words "or through any neglect of, or failure to perform or by other violations of their duties."

Page 3, line 1, strike out the word "negligence" and insert the words "neglect or failure of defendants to perform their duties."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, March 5, 1907.

To the Senate:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Senate bill (No. 343, Int. No. 37), entitled "An act to amend the Code of Civil Procedure in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard."

CHARLES E. HUGHES.

Mr. Agnew moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Hooker | Sohmer |
| Agnew | Cullen | Gilchrist | Knapp | Sullivan |
| Armstrong | Dunn | Grattan | McCarren | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Fuller | Hinman | Saxe | Wilcox |
| Cohalan | | | | |

41

Mr. Agnew moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith, amended as follows:

Page 5, line 21, strike out the word " of " and insert the word " or."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 207, Int. No. 200) entitled "An act to provide that proceedings and applications under chapter 490 of the Laws of 1883, entitled 'An act to provide new reservoirs, dams and a new aqueduct with the appurtenances thereto, for the purpose of supplying the city of New York with an increased supply of pure and wholesome water,' and the acts amendatory thereof and supplemental thereto, shall be taken and made in the Supreme Court in the judicial district in which the lands affected or acquired are situated," was returned by the mayor of the city of New York, with a certificate that a public hearing has been duly held on said bill in pursuance of law, and that the mayor has duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, MARCH 6, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. L. Fort, Jr.

The journal of yesterday was read and approved.

Mr. Thompson introduced a bill (Int. No. 572) entitled "An act to amend the Greater New York charter, in relation to ferries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill (Int. No. 573) entitled "An act to amend section 391 of the Greater New York charter, in relation to the employment and payment of inspectors of removals of pavements or disturbances of surface of streets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCall introduced a bill (Int. No. 574) entitled "An act to amend the Greater New York charter, relating to inferior courts of criminal jurisdiction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 575) entitled "An act to amend chapter 570 of the Laws of 1895, entitled 'An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State Racing Commission,' in relation to the appointment of stewards or judges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Page introduced a bill (Int. No. 576) entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Page requested that said bill be referred to the committee on the judiciary.

lishing and correcting the historical and other public records of the county, and of the several towns, cities and villages therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Hooker introduced a bill (Int. No. 588) entitled "An act to amend the Railroad Law, in relation to the consents of local authorities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Harte introduced a bill (Int. No. 589) entitled "An act to amend section 234 of chapter 368 of the Laws of 1905, entitled 'An act to amend the Tax Law, in relation to taxable transfers,' in relation to compensation to be paid thereunder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 590) entitled "An act to empower the commissioners of estimate and appraisal, to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 1046, Rec. No. 141) entitled "An act to amend the Code of Criminal Procedure, relative to the number of peremptory challenges in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1044, Rec. No. 142) entitled "An act to amend chapter 225 of the Laws of 1901, entitled 'An act to incorporate the city of Oneida,' in relation to sewers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1049, Rec. No. 143) entitled "An act to

amend chapter 705 of the Laws of 1901, entitled 'An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1048, Rec. No. 144) entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9 in the town of Poinfret a union free school district,' in relation to salary of secretary and assistant secretary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1045, Rec. No. 145) entitled "An act to amend chapter 704 of the Laws of 1901, entitled 'An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office,' in relation to the salaries of superintendent, clerks and assistants in said office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1034, Rec. No. 146) entitled "An act to amend the Code of Civil Procedure, in relation to the appointment and salary of special deputy clerks in counties containing a city of the first class," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 964, Rec. No. 147) entitled "An act to provide for the establishment of an observatory and nautical museum, in the Bronx park or other public park, in the city of New York, and to incorporate the New York Observatory and Nautical Museum for carrying on the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly returned the Assembly bill (No. 416, Senate reprint No. 530, Rec. No. 20) entitled "An act making appropriations for the erection of certain buildings at the Binghamton State Hospital and the Kings Park State Hospital," with a mes-

lishing and correcting the historical and other public records of the county, and of the several towns, cities and villages therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Hooker introduced a bill (Int. No. 588) entitled "An act to amend the Railroad Law, in relation to the consents of local authorities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Harte introduced a bill (Int. No. 589) entitled "An act to amend section 234 of chapter 368 of the Laws of 1905, entitled 'An act to amend the Tax Law, in relation to taxable transfers,' in relation to compensation to be paid thereunder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 590) entitled "An act to empower the commissioners of estimate and appraisal, to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 1046, Rec. No. 141) entitled "An act to amend the Code of Criminal Procedure, relative to the number of peremptory challenges in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1044, Rec. No. 142) entitled "An act to amend chapter 225 of the Laws of 1901, entitled 'An act to incorporate the city of Oneida,' in relation to sewers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1049, Rec. No. 143) entitled "An act to

amend chapter 705 of the Laws of 1901, entitled 'An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1048, Rec. No. 144) entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9 in the town of Pomfret a union free school district,' in relation to salary of secretary and assistant secretary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1045, Rec. No. 145) entitled "An act to amend chapter 704 of the Laws of 1901, entitled 'An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office,' in relation to the salaries of superintendent, clerks and assistants in said office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1034, Rec. No. 146) entitled "An act to amend the Code of Civil Procedure, in relation to the appointment and salary of special deputy clerks in counties containing a city of the first class," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 964, Rec. No. 147) entitled "An act to provide for the establishment of an observatory and nautical museum, in the Bronx park or other public park, in the city of New York, and to incorporate the New York Observatory and Nautical Museum for carrying on the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly returned the Assembly bill (No. 416, Senate reprint No. 530, Rec. No. 20) entitled "An act making appropriations for the erection of certain buildings at the Binghamton State Hospital and the Kings Park State Hospital," with a mes-

sage that they have non-concurred in the amendments of the Senate thereto, and request a committee of conference thereon.

Mr. Armstrong moved that the President appoint such committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee on behalf of the Senate Messrs. Armstrong, Cordts and Fuller.

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has appointed a committee of conference thereon.

The Speaker appointed as such committee on behalf of the Assembly Messrs. Rogers, Phillips, G. H. Whitney, Mance and Northrup.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur). That a respectful message be sent to the Governor requesting the return to the Assembly of Assembly bill (No. 463, Rec. No. 23), entitled "An act to amend chapter one hundred and thirty-seven of the laws of eighteen hundred and eighty-six, entitled 'An act to incorporate the State executive committee of the Young Men's Christian Associations of the State of New York,' in relation to trustees and the election thereof," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate have concurred in the passage of the same.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 600, Int. No. 239) entitled "An act to amend section 38 of the charter of the city of New York, known as chapter 466 of the Laws of 1901, for the purpose of requiring commissioners of deeds of the city of New York to file their signatures in the offices of the registers of counties within the said city."

Also, Senate bill (No. 505, Int. No. 202) entitled "An act to amend the Village Law, in relation to the compensation of the president and trustees in villages having a population of 14,000 or over."

Also, Senate bill (No. 534, Int. No. 64) entitled "An act to release to George C. Kline all the right, title and interest of the people of the State of New York, in and to real estate situate, lying and being in the city, county and State of New York, acquired by escheat or otherwise."

Also, Senate bill (No. 257, Int. No. 245) entitled "An act to release to Giuseppe Barese all the right, title and interest of the people of the State of New York, in and to certain real estate, situate in the village of Ossining, county of Westchester and State of New York."

Also, Senate bill (No. 536, Int. No. 280) entitled "An act to incorporate Young People's Missionary Movement of the United States and Canada."

Also, Senate bill (No. 356, Int. No. 323) entitled "An act to repeal section 75-a of the Forest, Fish and Game Law."

Also, Senate bill (No. 377, Int. No. 334) entitled "An act to amend chapter 159 of the Laws of 1905, entitled 'An act to incorporate the trustees of the Eastern Star Hall and Home of the State of New York and their successors under the corporate name of the trustees of the Eastern Star Hall and Home of the State of New York,' in relation to the objects of such corporation."

Also, Senate bill (No. 422, Int. No. 380) entitled "An act to amend the Executive Law, in relation to the appointment of commissioners of deeds in other States, territories and foreign countries."

Also, Senate bill (No. 306, Int. No. 283) entitled "An act to amend the Tax Law, relative to a seal for the State Board of Tax Commissioners."

Also, Senate bill (No. 267, Int. No. 23) entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction."

Also, Senate bill (No. 76, Int. No. 76) entitled "An act to provide for the better collection of unpaid assessments for local improvements in the town of West Seneca, Erie county, N. Y."

Also, Senate bill (No. 451, Int. No. 397) entitled "An act to provide for the payment of the claim of Henry Yonge and

Thomas F. Donnelly for legal services performed by them in the matter of the investigation conducted before Hon. Edward M. Grout, comptroller of New York city, pursuant to section 149 of the New York city charter, as to the justness of certain claims presented by the New York Edison Company for supplying electric light to the public buildings in the boroughs of Manhattan and the Bronx, and also lighting the streets in the same boroughs from the 1st day of January, 1903, to the 10th day of March, 1904, and also as to the justness of certain claims presented by the Consolidated Gas Company for supplying gas, lamp lighting and gas light to public buildings in the borough of Manhattan from the 1st day of January, 1903, to the 15th day of March, 1904."

Also, Senate bill (No. 462, Int. No. 408) entitled "An act to provide for the indexing of the records and maps of the county of Westchester affecting title to real estate now within the county of New York, heretofore deposited or filed in the office of the register of the county of New York."

Also, Senate bill (No. 482, Int. No. 430) entitled "An act to amend the Railroad Law, in relation to the consents of local authorities."

Also, Senate bill (No. 74, Int. No. 74) entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, New York, in constructing sewers in Edson street, Duerstein avenue and Burch avenue, in said town of West Seneca, and making assessments therefor."

Also, Senate bill (No. 529, Int. No. 462) entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York to refund assessments made upon property for acquiring title to East River park, bounded by Eighty-sixth street, East river and Avenue B in the city of New York."

Also, Senate bill (No. 545, Int. No. 471) entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers."

Mr. White, from the committee on affairs of cities, to which

was referred the Assembly bill introduced by Mr. Hart (No. 558, Rec. No. 48), entitled "An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hill (No. 617, Int. No. 533), entitled "An act authorizing the city of Buffalo to create a sinking fund with the avails of a sale of certain grade crossing bonds made on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, and from such fund to pay for the work for which said bonds were issued when the same shall be duly ordered, and to award other bonds to said fund without advertising," reported in favor of the passage of the same, with amendments, the title being amended to read as follows: "An act authorizing the city of Buffalo to create a sinking fund with the avails of a sale of certain grade crossing bonds made on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, and from such fund to pay for the work for which said bonds were issued when the same shall be duly ordered, or to redeem said bonds with said fund; and to award other bonds to said fund without advertising," which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Saxe (No. 413, Int. No. 371), entitled "An act to amend chapter 260 of the Laws of 1906, entitled 'An act creating a commission to confer with the Governor and Legislature of the State of New Jersey for the purpose of developing a system of transit between the city of New York and the State of New Jersey,' by enlarging the commission, extending its powers and making an appropriation therefor," reported in favor of the passage of the same, with amendments, the title being amended to read as follows: "An

Rec. No. 26), entitled "An act making appropriations to the State Commissioner of Excise for the payment of refunds on surrender of liquor tax certificates," reported in favor of the passage of the same, with amendments, the title being amended to read as follows: "An act making an appropriation for the payment of refunds on surrender of liquor tax certificates," which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Saxe (No. 197, Int. No. 190), entitled "An act to amend the Greater New York charter in relation to employment and payment of inspectors or removals of pavements or disturbances of surface of streets," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCall (No. 291, Int. No. 165), entitled "An act to amend chapter 466 of the Laws of 1901 (the Greater New York charter), by providing for the licensing of theatre ticket brokers and the regulation of the theatre brokerage business," with the recommendation that said bill be referred to the committee on codes, which report was agreed to, and the bill so referred.

The Senate bill (No. 529, Int. No. 462) entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York to refund assessments made upon property for acquiring title to East River park, bounded by Eighty-sixth street, East river and Avenue B in the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

same to the bulkhead line, and the time of making report," reported in favor of the passage of the same, with amendments, the title being amended to read as follows: "An act to amend chapter seven hundred and eighteen of the laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York state training school for boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the laws of nineteen hundred and five and by chapter six hundred and seventeen of the laws of nineteen hundred and six, in relation to the grant by the commissioners of the land office to the city of New York of the sunken meadow in East river adjacent to Randall's Island and of the land under water surrounding the same to the bulkhead line," which report was agreed to.

On motion of Mr. Owens, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Lupton (No. 281, Rec. No. 28), entitled "An act to amend the Village Law in relation to the borrowing of money for certain purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Carpenter (No. 595, Int. No. 514), entitled "An act to amend the Village Law relative to lighting certain streets and roads in subdivisions of villages," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Wood (No. 832, Rec. No. 127), entitled "An act to amend the Village Law in relation to village assessors," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Moreland (No. 193,

printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Knapp | Smith |
| Agnew | Cullen | Gilchrist | McCall | Sohmer |
| Allds | Davis | Grattan | McCarren | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Thompson |
| Boyce | Emerson | Hasenflug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 462, Int. No. 408) entitled "An act to provide for the indexing of the records and maps of the county of Westchester, affecting title to real estate now within the county of New York, heretofore deposited or filed in the office of the register of the county of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Franchot | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 451, Int. No. 397) entitled "An act to provide for the payment of the claim of Henry Yonge and Thomas F. Donnelly for legal services performed by them in the

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Knapp | Smith |
| Agnew | Cullen | Gilchrist | McCall | Sullivan |
| Alida | Davis | Grattan | McCarren | Taylor |
| Armstrong | Dunn | Harte | Mullaney | Thompson |
| Boyce | Emerson | Hasenflug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 545, Int. No. 471) entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Knapp | Smith |
| Agnew | Cullen | Gilchrist | McCall | Sohmer |
| Alida | Davis | Grattan | McCarren | Taylor |
| Armstrong | Dunn | Harte | Mullaney | Thompson |
| Boyce | Emerson | Hasenflug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 74, Int. No. 74) entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, N. Y., in constructing sewers in Edson street, Duerstein avenue and Burch avenue in said town of West Seneca and making assessments therefor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been

printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

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| Agnew | Cullen | Gilchrist | McCall | Sohmer |
| Allds | Davis | Grattan | McCarren | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Thompson |
| Boyce | Emerson | Hasenflug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 462, Int. No. 408) entitled "An act to provide for the indexing of the records and maps of the county of Westchester, affecting title to real estate now within the county of New York, heretofore deposited or filed in the office of the register of the county of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
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| Allds | Davis | Grattan | Mullaney | Taylor |
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| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
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| Cohalan | | | | |

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Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 451, Int. No. 397) entitled "An act to provide for the payment of the claim of Henry Yonge and Thomas F. Donnelly for legal services performed by them in the

matter of the investigation conducted before Hon. Edward M. Grout, comptroller of New York city pursuant to section 149 of the New York city charter, as to the justness of certain claims presented by the New York Edison Company for supplying electric light to the public buildings in the boroughs of Manhattan and the Bronx, and also lighting the streets in the same boroughs from the 1st day of January, 1903, to the 10th day of March, 1904, and also as to the justness of certain claims presented by the Consolidated Gas Company for supplying gas, lamp lighting and gas light to public buildings in the borough of Manhattan from the 1st day of January, 1903, to the 15th day of March, 1904," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobalan | Fuller | Knapp | Sohmer |
| Agnew | Cordts | Gates | McCall | Sullivan |
| Allida | Cullen | Gilchrist | McCarren | Taylor |
| Armstrong | Davis | Grattan | Mullaney | Thompson |
| Boyce | Dunn | Harte | O'Neil | Travis |
| Burr | Emerson | Hasenflug | Owens | Tully |
| Carpenter | Fancher | Hill | Page | Wemple |
| Cassidy | Foelker | Hinman | Ramsperger | White |
| Cobb | Franchot | Hooker | Saxe | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 503, Int. No. 105) entitled "An act to amend an act entitled 'An act to extend the time within which the International Railway Company and the Crosstown Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

legislative days, and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Franchot | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 505, Int. No. 202) entitled "An act to amend the Village Law, in relation to the compensation of the president and trustees, in villages having a population of 14,000 or over," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Franchot | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 600, Int. No. 239) entitled "An act to amend section 58 of the charter of the city of New York, known as chapter 466 of the Laws of 1901, for the purpose of requiring commissioners of deeds of the city of New York to file their sig-

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Franchot | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 257, Int. No. 245) entitled "An act to release to Giuseppe Barese all the right, title and interest of the people of the State of New York, in and to certain real estate, situate in the village of Ossining, county of Westchester and State of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Franchot | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 534, Int. No. 64) entitled "An act to release to George C. Kline all the right, title and interest of the people of the State of New York, in and to real estate situate, lying and being in the city, county and State of New York, acquired by escheat or otherwise," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar

legislative days, and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Franchot | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 505, Int. No. 202) entitled "An act to amend the Village Law, in relation to the compensation of the president and trustees, in villages having a population of 14,000 or over," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Franchot | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 600, Int. No. 239) entitled "An act to amend section 58 of the charter of the city of New York, known as chapter 466 of the Laws of 1901, for the purpose of requiring commissioners of deeds of the city of New York to file their sig-

natures in the offices of the registers of counties within the said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Franchot | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 377, Int. No. 334) entitled "An act to amend chapter 159 of the Laws of 1905, entitled 'An act to incorporate the trustees of the Eastern Star Hall and Home of the State of New York and their successors under the corporate name of the trustees of the Eastern Star Hall and Home of the State of New York,' in relation to the objects of such corporation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Franchot | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 306, Int. No. 283) entitled "An act to amend the Tax Law, relative to a seal for the State Board of Tax Commissioners," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Franchot | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 422, Int. No. 380) entitled "An act to amend the Executive Law, in relation to the appointment of commissioners of deeds in other States, territories and foreign countries," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Ramsperger | Wemple |
| Cassidy | Franchot | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 267, Int. No. 23) entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction," having been announced for third reading,

Mr. Fuller moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 2, strike out the word "for" and insert the word "of."

Same page, line 7, strike out the word "building" and insert the word "buildings."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Gates moved that the committee on internal affairs of towns and counties be discharged from the consideration of Senate bill (No. 380, Int. No. 337) entitled "An act to amend the Highway Law, relative to the amount to be paid by the State to towns which have adopted the money system," and that said bill be amended, reprinted and recommitted to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McCarren moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 602, Int. No. 328) entitled "An act to amend the Greater New York charter, in relation to the fixing of salaries by the board of education," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Agnew moved that the committee on taxation and retrench-

Mr. Carpenter introduced a bill (Int. No. 593) entitled "An act to amend chapter 584 of the Laws of 1901, entitled 'An act to fix and establish the annual salary of the county judge of Westchester county, and repealing section 222 of chapter 686 of the Laws of 1892, so far as it relates to Westchester county,' in relation to the amount of such salary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 594) entitled "An act to amend an act to organize and establish a police department for the village of White Plains, county of Westchester and State of New York, being chapter 306 of the Laws of 1904, as amended by chapter 165 of the Laws of 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 595) entitled "An act to create the office of building inspector in the village of White Plains and to provide for the appointment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 596) entitled "An act to amend an act entitled 'An act to provide for the supplying the village of White Plains with water and authorizing the issue of bonds therefor and to create a board of water commissioners for said village,' being chapter 769 of the Laws of 1896," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. White, on behalf of Mr. Raines, introduced a bill (Int. No. 597) entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' in relation to salaries of city officials, duties of city clerk and city judge, and jurisdiction of the City Court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hinman introduced a bill (Int. No. 598) entitled "An act to repeal chapter 231 of the Laws of 1893, entitled 'An act to legalize the agreement between the Binghamton and Port Dickinson Railroad Company, the Binghamton Street Railroad

The President presented the report of the New York Catholic Protectory, which was laid upon the table and ordered printed.

(See Document.)

Mr. Page offered the following:

Resolved, That 1,000 extra copies of the Senate bill (Int. No. 576), entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor," be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on finance.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, MARCH 7, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. H. M. Oberholtzer.

The journal of yesterday was read and approved.

Mr. Burr introduced a bill (Int. No. 591) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district No. 5 of the town of Smithtown, Suffolk county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Page introduced a bill (Int. No. 592) entitled "An act to amend section 17 of chapter 378, Laws of 1892, known as the University Law, relative to the use of the State Library," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Carpenter introduced a bill (Int. No. 593) entitled "An act to amend chapter 584 of the Laws of 1901, entitled 'An act to fix and establish the annual salary of the county judge of Westchester county, and repealing section 222 of chapter 686 of the Laws of 1892, so far as it relates to Westchester county,' in relation to the amount of such salary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 594) entitled "An act to amend an act to organize and establish a police department for the village of White Plains, county of Westchester and State of New York, being chapter 306 of the Laws of 1904, as amended by chapter 165 of the Laws of 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 595) entitled "An act to create the office of building inspector in the village of White Plains and to provide for the appointment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 596) entitled "An act to amend an act entitled 'An act to provide for the supplying the village of White Plains with water and authorizing the issue of bonds therefor and to create a board of water commissioners for said village,' being chapter 769 of the Laws of 1896," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. White, on behalf of Mr. Raines, introduced a bill (Int. No. 597) entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' in relation to salaries of city officials, duties of city clerk and city judge, and jurisdiction of the City Court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hinman introduced a bill (Int. No. 598) entitled "An act to repeal chapter 231 of the Laws of 1893, entitled 'An act to legalize the agreement between the Binghamton and Port Dickinson Railroad Company, the Binghamton Street Railroad

ups and set lines in Chenango county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 957, Rec. No. 151) entitled "An act to provide for the hearing, auditing and determining of claims of persons alleged to have been injured by and during the construction in the city of New York under and pursuant to the provisions of chapter 4 of the Laws of 1891, entitled 'An act to provide for the rapid transit railways in cities of over 1,000,000 inhabitants,' and all the acts amendatory thereof and supplemental thereto, of the rapid transit railway known as the subway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 634, Int. No. 482) entitled "An act to amend chapter 195 of the Laws of 1906, entitled 'An act to establish and maintain a water department in and for the city of Corning.'"

Also, Senate bill (No. 601, Int. No. 300) entitled "An act to amend section 23 of chapter 466 of the Laws of 1901, known as the charter of the city of New York, empowering the mayor of said city to designate the president of the board of aldermen to represent the mayor on the public boards of said city."

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fancher (No. 630, Int. No. 545) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to ordinances enacted by the common council, and the enforcement thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fancher (No. 629, Int. No. 544) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to fees of officers in certain cases," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Page (No. 682, Int. No. 576), entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor," reported the same with the recommendation that said bill be committed to the committee on the judiciary for its consideration, and after report thereon from that committee be recommitted to the committee on finance, which report was agreed to, and said bill committed to the committee on the judiciary.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fancher (No. 584, Int. No. 503), entitled "An act to authorize the city of Jamestown to receive contributions for certain purposes, and to determine the manner of collecting the same," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Gates (No. 523, Int. No. 456), entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1037, Rec. No. 134), entitled "An act to authorize the city of Yonkers to borrow money by the issue of bonds for the purchase of land and the appurtenances thereof for park purposes and for the payment of the purchase price of lands already contracted for for park purposes, and for the grading and improving of the same within the city of Yonkers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. McCarren (No. 370, Int. No. 327), entitled "An act to amend section 31

of the Forest, Fish and Game Law, being section 31 of the general laws, as amended, with respect to the closed season on Mongolian ring necked and English pheasants in the county of Dutchess," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Carpenter (No. 516, Int. No. 449), entitled "An act to legalize and validate certain paving bonds of said village of Mamaroneck and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of a tax for the payment of the principal and interest thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxe (No. 570, Int. No. 489), entitled "An act to prohibit the issuance of licenses to ticket speculators," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the resolution introduced by Mr. Page, relative to the printing of 1,000 extra copies of Senate bill (Int. No. 576), reported in favor of the passage of the same.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Knapp | Smith |
| Agnew | Cullen | Gilchrist | McCall | Sohmer |
| Armstrong | Davis | Grattan | McCarren | Sullivan |
| Boyce | Dunn | Harte | McManus | Taylor |
| Burr | Emerson | Hasenflug | O'Neil | Thompson |
| Carpenter | Fancher | Heacock | Owens | Travis |
| Cassidy | Foelker | Hill | Page | Tully |
| Cobb | Franchot | Hinman | Ramsperger | Wemple |
| Cohalan | Fuller | Hooker | Saxe | White |

45

Ordered, That said resolution be delivered to the public printer.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Frawley (No. 594, Int. No.

513), entitled "An act to amend section 458 of the Penal Code, relating to crimes against the public peace," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxe (No. 569, Int. No. 488), entitled "An act to amend the Penal Code, relative to ticket speculators," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Hinman (No. 489, Int. No. 435), entitled "An act to amend the Penal Code, in relation to larceny," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Davis (No. 547, Int. No. 473), entitled "An act to amend chapter 10 of the Laws of 1902, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grattan (No. 572, Int. No. 491), entitled "An act to incorporate the Odd Fellows Temple Association of the city of Cohoes, New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Dunn (No. 524, Int. No. 457), entitled "An act to amend the State Charities Law, in relation to the visitations and reports of managers of State charitable institutions," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hooker (No. 627, Int.

No. 542), entitled "An act to legalize and to provide for the payment of bonds of the village of Bergen, Genesee county, New York, sold and issued for the purpose of defraying the expense for the establishment of a system of water works for supplying said village and its inhabitants with water," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hooker, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. O'Neil (No. 564, Int. No. 484), entitled "An act to amend chapter 2 of the Laws of 1907, entitled 'An act to confirm the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds the company assumed as a part of the purchase price of its said system of water works,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. O'Neil, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Moreland (No. 35, Rec. No. 15), entitled "An act legalizing certain proceedings of the board of assessors of the city of Elmira in making and returning the assessment-roll for the year 1906," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Nevins (No. 719, Rec. No. 11), entitled "An act to legalize the proceedings of a meeting of the voters of union free school district No. 6, towns of Perry and Castile, county of Wyoming, and of the board of education of said district in the issuance and sale of bonds to the amount of \$50,000," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Davis, from the committee on the judiciary, to which was

referred the Assembly bill introduced by Mr. Prentice (No. 82, Rec. No. 140), entitled "An act to repeal article 13 of the Labor Law, relative to horseshoers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Wells (No. 332, Rec. No. 76), entitled "An act to incorporate Alliance Francaise de New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Taylor (No. 470, Int. No. 417), entitled "An act to amend chapter 272 of the Laws of 1830, entitled 'An act to incorporate the Canterbury Fire Company,' and the several acts amendatory thereof, in relation to the purposes of said corporation, and increasing the membership thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Dunn (No. 161, Int. No. 157), entitled "An act to legalize and confirm the proceedings of William Heffer, sole trustee, and the legal voters of school district No. 3 of the town of Penfield, New York, relative to the levy of a tax payable in installments and the issuance and sale of certain school bonds of said districts," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Cobb (No. 235, Int. No. 226), entitled "An act supplementary to chapter 107 of the Laws of 1821, entitled 'An act declaring a part of the Black river a public highway, and for other purposes,' passed March 16, 1821," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Agnew (No. 465,

Int. No. 412), entitled "An act to amend chapter 153 of the Laws of 1833, entitled 'An act to incorporate the New England Society in the city of New York,' in relation to the members voting by proxy," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Carpenter (No. 416, Int. No. 374), entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners, and to define the powers of the consolidated corporation;" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Davis (No. 481, Int. No. 429), entitled "An act to amend the Election Law, as amended by chapters 95 and 232 of the Laws of 1901 and chapter 643 of the Laws of 1905, relating to notices of election," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Harte (No. 621, Int. No. 536), entitled "An act to amend the County Law, relative to the appointment of assistant district attorney in the county of Richmond," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Agnew (No. 244, Int. No. 38), entitled "An act to amend the Labor Law and repeal chapter 9 of the Laws of 1901, relative to the organization of the Department of Labor," reported the same to the Senate with amendments.

On motion of Mr. Davis, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on the judiciary.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Norton (No. 171, Rec. No. 63), entitled "An act to amend chapter 117 of the Laws of 1897, entitled 'An act to make the office of sheriff of Washington county a salaried office, and regulating the management of said office,' in relation to the salary of under sheriff," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hill (No. 490, Int. No. 436), entitled "An act to authorize the city of Buffalo to apply the sum realized from the sale of grade crossing bonds on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, to the payment of other bonds falling due prior to July 1, 1908," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act authorizing the city of Buffalo to create a sinking fund with the avails of a sale of certain grade crossing bonds, made on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, and from such fund to pay for the work for which said bonds were issued when the same shall be duly ordered, or to redeem said bonds with said fund; and to award other bonds to said fund without advertising," which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Whitley (No. 680, Rec. No. 124), entitled "An act to amend chapter 195 of the Laws of 1886, entitled 'An act to make the office of county clerk of Monroe county a salaried office and regulating the management of said office,' in relation to the salary of special deputy clerks," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by

Mr. Foelker (No. 454, Int. No. 400), entitled "An act to provide for the fees to be charged in the office of the register of the county of Kings," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by Mr. Mills (No. 621, Rec. No. 74), entitled "An act to amend the Forest, Fish and Game Law, in relation to pike," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by Mr. Lewis (No. 918, Rec. No. 115), entitled "An act to amend the Forest, Fish and Game Law, in relation to powers of the supervisors of Oneida county in respect to nets, pounds and other illegal devices," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to amend the Forest, Fish and Game Law, in relation to powers of the supervisors in certain counties in respect to nets, pounds and other illegal devices," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by Mr. Mills (No. 619, Rec. No. 61), entitled "An act to amend the Forest, Fish and Game Law, in relation to definitions and construction," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1040, Rec. No. 132), entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the salary of the city judge," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1036, Rec. No. 135), entitled "An act to amend chapter 635 of th

Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' relative to the issue of bonds for street pavements," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 488, Int. No. 434), entitled "An act to amend section 188 of chapter 20 of the Laws of 1900, entitled 'An act for the protection of the forests, fish and game of the State, constituting chapter 31 of the general laws,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grattan (No. 520, Int. No. 453), entitled "An act to amend 'An act to incorporate the trustees of the William Croswell Doane fund for Christian work in the diocese of Albany' (being chapter 205 of the Laws of 1906), passed April 12, 1906," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grattan (No. 573, Int. No. 492), entitled "An act to amend chapter 18 of the general laws, known as the County Law, relative to the issue of town obligations," reported the same to the Senate with amendments.

On motion of Mr. Davis, and by unanimous consent, it was ordered that said bill be printed and committed to the committee on internal affairs of towns and counties.

Mr. Fancher, from the committee on insurance, to which was referred the Assembly bill introduced by Mr. Young (No. 552, Rec. No. 44), entitled "An act to amend the Insurance Law, relative to the kinds of insurance that may be made," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Moreland (No. 447, Rec. No. 102), entitled "An act to establish a retire-

ment fund for pensioning teachers of the public schools in the city of Elmira, and to regulate the collection, management and disbursement thereof," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cassidy, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

The Assembly bill (No. 345, Rec. No. 25) entitled "An act to provide for the payment of the balance due newspapers for the publication of the general laws of the State for the year 1906," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|------------|------------|----------|
| Ackroyd | Cullen | Gilechrist | McCall | Sohmer |
| Agnew | Davis | Grattan | McCarren | Sullivan |
| Armstrong | Dunn | Harte | O'Neil | Taylor |
| Boyce | Emerson | Hasenflug | Owens | Thompson |
| Carpenter | Fancher | Hill | Page | Travis |
| Cassidy | Foelker | Hinman | Ramsperger | Tully |
| Cobb | Franchot | Hooker | Saxe | Wemple |
| Cohalan | Fuller | Knapp | Smith | White |
| Cordts | Gates | | | |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Senate bill (No. 634, Int. No. 482) entitled "An act to amend chapter 195 of the Laws 1906, entitled 'An act to establish and maintain a water department in and for the city of Corning,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Knapp | Smith |
| Agnew | Cullen | Gilchrist | McCall | Sohmer |
| Armstrong | Davis | Grattan | McCarren | Sullivan |
| Boyce | Dunn | Harte | McManus | Taylor |
| Burr | Emerson | Hasenflug | O'Neil | Thompson |
| Carpenter | Fancher | Heacock | Owens | Travis |
| Cassidy | Foelker | Hill | Page | Tully |
| Cobb | Franchot | Hinman | Ramsperger | Wemple |
| Cohalan | Fuller | Hooker | Saxe | White |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 601, Int. No. 300) entitled "An act to amend section 23 of chapter 466 of the Laws of 1901, known as the charter of the city of New York, empowering the mayor of said city to designate the president of the board of aldermen to represent the mayor on the public boards of said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Harte | McCarren | Sullivan |
| Agnew | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Franchot | Hill | Page | Travis |
| Carpenter | Fuller | Hinman | Ramsperger | Tully |
| Cobb | Gates | Hooker | Saxe | Wemple |
| Cohalan | Gilchrist | Knapp | Smith | White |
| Cordts | Grattan | McCall | Sohmer | |

39

FOR THE NEGATIVE.

Foelker

1

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 533, Int. No. 32) entitled "An act in relation to appointments in the civil service of certain civil divisions of the State," having been announced for third reading, Mr. McManus moved that said bill be recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Harte moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 565, Int. No. 485), entitled "An act to amend the Greater New York charter, in relation to hostlers in the police department," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Assembly (No. 115, Rec. No. 19), entitled "An act to amend the Lien Law, in relation to chattel mortgages."

(2) Assembly (No. 624, Rec. No. 80), entitled "An act to amend the Highway Law, in relation to commissioners for laying out, opening, altering or discontinuing highways."

(3) Assembly (No. 769, Rec. No. 81), entitled "An act to amend the Highway Law, in relation to exempting certain counties from the poll tax."

(4) Assembly (No. 465, Rec. No. 58), entitled "An act to amend the Public Health Law, in relation to pharmacists."

(5) Senate (No. 197, Int. No. 190), entitled "An act to amend the Greater New York charter in relation to employment and payment of inspectors or removals of pavements or disturbances of surface of streets."

(6) Senate (No. 595, Int. No. 514), entitled "An act to amend the Village Law, relative to lighting certain streets and roads in subdivisions of villages."

(7) Assembly (No. 281, Rec. No. 28), entitled "An act to amend the Village Law, in relation to the borrowing of money for certain purposes."

(8) Senate (No. 400, Int. No. 357), entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries, and to fix the compensation of such stenographers,' relative to the appointment of stenographers to take evidence before grand juries and at coroner's inquests and examinations and trials of criminal cases."

After some time spent therein, the President resumed the chair, and Mr. McCarren from said committee, reported in favor of the passage of the above-named bills, the third-named bill with amendments, which report was agreed to, and said bills ordered to a third reading.

Mr. White, from the committee appointed to arrange for a special service in memory of the late Frank Wayland Higgins, former Governor of the State, announced that said service will be held in the Assembly chamber on Monday evening, April 8th.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, MARCH 8, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. E. Rogers.

The journal of yesterday was read and approved.

Mr. Boyce, on behalf of Mr. McManus, introduced a bill (Int. No. 610) entitled "An act to amend the Greater New York charter, in relation to text-books and scholastic supplies, grades of schools and classes, courses of study and method of teaching," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly returned the Senate bill (No. 52, Int. No. 52), entitled "An act to amend chapter 321 of the laws of 1898, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the compensation of under sheriff and counsel," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, MARCH 11, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. M. Gillis.

The journal of Friday, March 8, was read and approved.

Mr. Harte introduced a bill (Int. No. 611) entitled "An act to regulate and equalize the salaries of electrical inspectors in the department of water supply, gas and electricity in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 612) entitled "An act to provide for the payment of the claim of Daniel J. Sullivan for labor performed and materials furnished in the Queens county court house in the first ward (old Long Island City), in the borough of Queens, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 613) entitled "An act to provide for the payment of the claim of John Woesthoff, for work and material furnished the bureau of public buildings and offices of the borough of Queens, the city of New York, during the year 1904," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cullen introduced a bill (Int. No. 614) entitled "An act to amend the Greater New York charter, relative to the salary of the commissioner of docks and the deputy commissioner of docks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mullaney introduced a bill (Int. No. 615) entitled "An act to amend the Railroad Law, in relation to rates of fare," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Sohmer introduced a bill (Int. No. 616) entitled "An act to amend the Insurance Law, by making the office of Superintendent of Insurance elective," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 617) entitled "An act to amend the Liquor Tax Law, in relation to making the office of Commissioner of Excise elective," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 618) entitled "An act to amend the Banking Law, by making the office of Superintendent of Banks elective," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Page introduced a bill (Int. No. 619) entitled "An act to authorize the appointment of a commission to inquire into the local government of the city of New York and the charter thereof, and suggest legislation thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 620) entitled "An act to authorize the extension of Riverside park in the city of New York by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the City of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 621) entitled "An act to amend the Labor Law, relative to the issuance of employment certificates for children in factories and mercantile establishments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Carpenter introduced a bill (Int. No. 622) entitled "An act to amend the Religious Corporations Law, relative to trusts for Shakers and Friends," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 623) entitled "An act to amend chapter 345 of the Laws of 1892, entitled 'An act to amend chapter 177 of the Laws of 1887, entitled "An act to provide for supplying the village of Sing Sing with water, and authorizing the issue

of bonds therefor, and to create a board of water commissioners for said village," passed April 18, 1887, and the acts amendatory thereof, passed April 18, 1889," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 624) entitled "An act empowering union free school district No. 1, of the town of White Plains, N. Y., to acquire land for the purpose of an athletic field," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Taylor introduced a bill (Int. No. 625) entitled "An act to amend chapter 851 of the Laws of 1896, entitled 'An act conferring additional powers upon trust companies having their principal place of business in towns adjoining cities containing a population of over 800,000 and less than 1,000,000 inhabitants according to the last State enumeration,' in relation to the powers of certain trust companies to receive property for safe keeping and to examine and insure titles to real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, a bill (Int. No. 626) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of public highways,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 627) entitled "An act to revise and amend the charter of the city of Newburg, being chapter 541 of the Laws of 1865, and the several acts amendatory thereof and supplemental thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grattan introduced a bill (Int. No. 628) entitled "An act to amend subdivision 7 of section 2 of chapter 174 of the Laws of 1903, entitled 'An act to amend chapter 554 of the Laws of 1899, entitled "An act to establish a police pension fund for the city of Albany, relative to an increase of the same,"' which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Knapp introduced a bill (Int. No. 629) entitled "An act to amend the Penal Code, relating to the sentencing of certain convicts to State prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 630) entitled "An act to amend section 687-a of the Penal Code, relative to sentencing prisoners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 631) entitled "An act authorizing and directing the State Commission of Prisons to inquire as to the most practical methods of providing State houses of correction and a reformatory for misdemeanants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Wemple introduced a bill (Int. No. 632) entitled "An act to amend the Railroad Law, in relation to the inspection and care of steam locomotives," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, a bill (Int. No. 633) entitled "An act to exempt the city of Schenectady from the provisions of section 13 of chapter 473 of the Laws of 1906, in relation to the election of assessors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Emerson introduced a bill (Int. No. 634) entitled "An act to revise the charter of the city of Amsterdam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 635) entitled "An act to provide for the repaving or resurfacing of East Main street and Market street, in the city of Amsterdam, and to provide for meeting the expense thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cobb introduced a bill (Int. No. 636) entitled "An act to provide for the establishment and maintenance of a herd of bison on State lands, within the Adirondack forest reserve, by the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Ackroyd introduced a bill (Int. No. 637) entitled "An act to amend the charter of the city of Utica, in relation to issuing bonds to pay purchases at tax sales and provide a fund for uncollected taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cassidy introduced a bill (Int. No. 638) entitled "An act to amend chapter 147 of the Laws of 1903, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars, for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people, to be voted upon at the general election to be held in the year 1903,' in relation to the lease or sale of water," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Franchot introduced a bill (Int. No. 639) entitled "An act to provide for the appointment of policemen for the Niagara, Lockport and Ontario Power Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 640) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment and operation of a municipal lighting and power plant, and in relation to the taking by condemnation proceedings of any lighting plant situated within the said city used for city lighting and power purposes, and in the relation of the issuance of bonds for such purposes and the levy and assessment of taxes for their payment and interest thereon, and the cost of maintenance and operation of said plant," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hill introduced a bill (Int. No. 641) entitled "An act to amend chapter 313 of the Laws of 1906, entitled 'An act to amend chapter 644 of the Laws of 1905, entitled 'An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to ward boundaries,'" relating to the boundaries of the twenty-third and twenty-fourth wards in said city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 642) entitled "An act to amend section 142 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter 707 of the Laws of 1900, in relation to divisions of taxes and assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McManus introduced a bill (Int. No. 643) entitled "An act for the relief of Joseph Palladino, in payment for work, labor and services performed and materials furnished to and for the mayor, aldermen and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cordts introduced a bill (Int. No. 644) entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a City Court therein and define its jurisdiction and powers,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 1135, Rec. No. 152) entitled "An act to amend the Agricultural Law, in relation to adulterated cream," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 1129, Rec. No. 153) entitled "An act to provide for the payment of the claim of Emil Jemm for labor per-

formed and materials furnished in the Squadron A armory in the borough of Manhattan, New York city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1128, Rec. No. 154) entitled "An act to amend chapter 565 of the Laws of 1895, entitled 'An act to incorporate the city of Little Falls,' relative to salaries of policemen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1051, Rec. No. 155) entitled "An act to amend the Code of Civil Procedure, relating to notices of trial and notes of issue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1127, Rec. No. 156) entitled "An act to amend the Greater New York charter, in relation to pensions to dependent parents of members of the police force," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1131, Rec. No. 157) entitled "An act to amend chapter 371 of the Laws of 1903, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to the boundaries of the several wards of the city of Schenectady and to increasing the number thereof and defining the boundaries thereof, and election of ward officers and appointing of election officers," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, said bill was substituted for Senate bill (No. 275, Int. No. 262), now on the order of third reading.

Also, the bill (No. 1089, Rec. No. 158) entitled "An act to create and establish a firemen's relief and pension fund for the fire department of the city of Utica and authorizing the granting and payment of pensions and relief therefrom," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ackroyd, and by unanimous consent, said

bill was substituted for Senate bill (No. 637, Int. No. 97), now on the order of third reading.

Also, the bill (No. 1134, Rec. No. 159) entitled "An act to amend the Code of Civil Procedure, in relation to the sale of perishable property levied upon by virtue of an execution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1133, Rec. No. 160) entitled "An act to amend the Labor Law, relative to ventilation of factories," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 961, Rec. No. 161) entitled "An act to amend the Greater New York charter, in relation to the disposition of horses used in the fire, police and street cleaning departments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 956, Rec. No. 162) entitled "An act to amend the Membership Corporations Law, in relation to the election of managers and trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1086, Rec. No. 163) entitled "An act to amend the Agricultural Law, in relation to moneys realized by the recovery of penalties, and certain matters of procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 913, Rec. No. 164) entitled "An act to amend the Greater New York charter, as re-enacted by chapter 466 of the Laws of 1901, relative to the police department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 661, Int. No. 37), entitled "An act to amend the Code of Civil Procedure, in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard."

Also, Senate bill (No. 637, Int. No. 97) entitled "An act to create and establish a firemen's relief and pension fund for the fire department of the city of Utica and authorizing the granting and payment of pensions and relief to the officers and members of said department entitled thereto."

Also, Senate bill (No. 663, Int. No. 41) entitled "An act to amend section 1781 of the Code of Civil Procedure, in relation to actions against directors, etc., of a corporation for misconduct."

Also, Senate bill (No. 662, Int. No. 359) entitled "An act to amend section 13 of chapter 559 of the Laws of 1895, entitled, 'An act relating to membership corporations, constituting chapter 43 of the general laws,' relating to the purchase, sale, mortgage and lease of real property."

Also, Senate bill (No. 564, Int. No. 484) entitled "An act to amend chapter 2 of the Laws of 1907, entitled 'An act to confirm the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds the company assumed as a part of the purchase price of its said system of water works.'"

Also, Senate bill (No. 627, Int. No. 542) entitled "An act to legalize, and to provide for the payment of, bonds of the village of Bergen, Genesee county, New York, sold and issued for the purpose of defraying the expense for the establishment of a system of water works for supplying said village and its inhabitants with water."

Also, Senate bill (No. 197, Int. No. 190) entitled "An act to amend the Greater New York charter, in relation to employment and payment of inspectors of removals of pavements or disturbances of surface of streets."

Also, Senate bill (No. 595, Int. No. 514) entitled "An act to amend the Village Law, relative to lighting certain streets and roads in subdivisions of villages."

The Assembly returned the Senate bill (No. 261, Assembly reprint No. 1125, Int. No. 249) entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' relative to salaries of deputy sup-

erintendent of the almshouse and clerk," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 4, of the title after the word "Albany" strike out remainder of the title and insert in place thereof "relative to salaries of deputy superintendent of the almshouse and clerk".

Page 1, in first line of title, strike out "section 4 of title 15 of".

Page 1, line 5, after "eighty-five" strike out ", as amended" and insert in place thereof "and".

Page 1, line 7, strike out "so as".

Page 2, line 3, "dollars" not in italics.

Mr. Grattan moved that the Senate concur in said amendments.

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill as amended, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | Knapp | Saxe |
| Allds | Dunn | Grady | McCall | Sohmer |
| Armstrong | Emerson | Grattan | McManus | Sullivan |
| Boyce | Fancher | Harte | Mullaney | Taylor |
| Carpenter | Foelker | Hasenflug | O'Neil | Thompson |
| Cassidy | Franchot | Heacock | Owens | Travis |
| Cobb | Frawley | Hill | Page | Tully |
| Cordts | Fuller | Hinman | Raines | Wemple |
| Cullen | Gates | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the amendments of the Assembly thereto.

The Assembly returned the Senate bill (No. 3, Assembly reprint No. 1126, Int. No. 3) entitled "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' in relation to exempting real estate owned by religious corporations

in New York city from all charges, liens and assessments for the use of water," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 4, at end of line insert "as amended by chapter four hundred and forty of the laws of nineteen hundred and six,".

Page 1, line 5, beginning with the word "and" strike out to and including the word "are" and insert in place thereof the word "is".

Page 1, in last line of title strike out "and the acts amendatory thereof," and insert in place thereof "in relation to exempting real estate owned by religious corporations in New York city from all charges, liens and assessments for the use of water".

Page 1, line 1, strike out "chapter" and insert in place thereof "section 1 of chapter".

Page 1, strike out line 5 and the words "nineteen hundred and six" on line 6, and insert in place thereof "as amended by chapter four hundred and ninety-two of the laws of eighteen hundred and ninety, as amended by chapter six hundred and seventy-two of the laws of eighteen hundred and ninety-four, as amended by chapter four hundred and fifty-nine of the laws of eighteen hundred and ninety-five, as amended by chapter eight hundred and fifty-two of the laws of eighteen hundred and ninety-six, as amended by chapter six hundred and five of the laws of nineteen hundred and two and by chapter four hundred and forty of the laws of nineteen hundred and six,".

Page 2, line 9, strike out "of".

Same page and line after "years" insert comma.

Page 2, line 12, after "York" insert comma.

On page 3, after line 9 before line 10, insert new paragraph as follows: "Section 2. Section two of said act as amended by chapter four hundred and ninety-two of the laws of eighteen hundred and ninety, as amended by chapter four hundred and fifty-nine of the laws of eighteen hundred and ninety-five, as amended by chapter eight hundred and fifty-two of the laws of eighteen hundred and ninety-six, as amended by chapter six hundred and five of the laws of nineteen hundred and two and by chapter four hundred and forty of the laws of nineteen hundred and six, is hereby amended to read as follows:".

Page 4, line 3, after "sale" strike out "or" and insert "*and*" in italics. Same page and line bracket "any" last word on said line".

On page 4. line 10, strike out "2" and insert in place thereof "3".

Mr. Saxc moved that the Senate concur in said amendments.

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill as amended, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | Knapp | Sohmer |
| Allds | Davis | Grady | McCall | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Carpenter | Fancher | Hasenflug | O'Neil | Travis |
| Cassidy | Foelker | Heacock | Owens | Tully |
| Cobb | Franchot | Hill | Page | Wemple |
| Cohalan | Fuller | Hinman | Ramsperger | Wilcox |
| Cordts | Gates | Hooker | Saxe | 44 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the amendments of the Assembly thereto.

The Assembly bill (No. 465, Rec. No. 58) entitled "An act to amend the Public Health Law, in relation to pharmacists," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Hooker | Saxe |
| Allds | Cullen | Gates | Knapp | Sohmer |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McManus | Taylor |
| Burr | Emerson | Grattan | Mullaney | Thompson |
| Carpenter | Fancher | Harte | O'Neil | Travis |
| Cassidy | Foelker | Hasenflug | Owens | Tully |
| Cobb | Franchot | Heacock | Page | Wemple |
| Cohalan | Frawley | Hill | Ramsperger | Wilcox |
| | | | | 45 |

FOR THE NEGATIVE.

Hinman

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 281, Rec. No. 28) entitled "An act to amend the Village Law, in relation to the borrowing of money for certain purposes," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Hooker | Saxe |
| Allds | Cullen | Gates | Knapp | Sohmer |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McManus | Taylor |
| Burr | Emerson | Grattan | Mullaney | Thompson |
| Carpenter | Fancher | Harte | O'Neil | Travis |
| Cassidy | Foelker | Hasenflug | Owens | Tully |
| Cobb | Franchot | Heacock | Page | Wemple |
| Cohalan | Frawley | Hill | Ramsperger | Wilcox |

45

FOR THE NEGATIVE.

Hinman

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 595, Int. No. 514) entitled "An act to amend the Village Law, relative to lighting certain streets and roads in subdivisions of villages," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Hooker | Saxe |
| Allds | Davis | Gilchrist | Knapp | Sohmer |
| Armstrong | Dunn | Grady | McCall | Sullivan |
| Boyce | Emerson | Grattan | McManus | Taylor |
| Burr | Fancher | Harte | Mullaney | Thompson |
| Carpenter | Foelker | Hasenflug | O'Neil | Travis |
| Cassidy | Franchot | Heacock | Owens | Tully |
| Cobb | Frawley | Hill | Page | Wemple |
| Cohalan | Fuller | Hinman | Ramsperger | Wilcox |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 627, Int. No. 542) entitled "An act to legalize and provide for the payment of bonds of the village of Bergen, Genesee county, New York, sold and issued for the purpose of defraying the expense of the establishment of a system of water works for supplying said village and its inhabitants with water," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Hooker | Saxe |
| Allds | Davis | Gilchrist | Knapp | Sohmer |
| Armstrong | Dunn | Grady | McCall | Sullivan |
| Boyce | Emerson | Grattan | McManus | Taylor |
| Burr | Fancher | Harte | Mullaney | Thompson |
| Carpenter | Foelker | Hasenflug | O'Neil | Travis |
| Cassidy | Franchot | Heacock | Owens | Tully |
| Cobb | Frawley | Hill | Page | Wemple |
| Cohalan | Fuller | Hinman | Ramsperger | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 564, Int. No. 484) entitled "An act to amend chapter 2 of the Laws of 1907, entitled 'An act to confirm the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds the company assumed as a part of the purchase price of its said system of water works,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Hooker | Saxe |
| Allds | Davis | Gilchrist | Knapp | Sohmer |
| Armstrong | Dunn | Grady | McCall | Sullivan |
| Boyce | Emerson | Grattan | McManus | Taylor |
| Burr | Fancher | Harte | Mullaney | Thompson |
| Carpenter | Foelker | Hasenflug | O'Neil | Travis |
| Cassidy | Franchot | Heacock | Owens | Tully |
| Cobb | Frawley | Hill | Page | Wemple |
| Cohalan | Fuller | Hinman | Ramsperger | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 663, Int. No. 41) entitled "An act to amend section 1781 of the Code of Civil Procedure, in relation to actions against directors, etc., of a corporation for misconduct," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | Hooker | Saxe |
| Allds | Dunn | Grady | Knapp | Sullivan |
| Armstrong | Emerson | Grattan | McCall | Taylor |
| Burr | Fancher | Harte | Mullaney | Thompson |
| Carpenter | Foelker | Hasenflug | O'Neil | Travis |
| Cobb | Frawley | Heacock | Owens | Tully |
| Cohalan | Fuller | Hill | Page | Wemple |
| Cullen | Gates | Hinman | Ramsperger | Wilcox |

40

FOR THE NEGATIVE.

| | |
|---------|----------|
| Cassidy | Franchot |
|---------|----------|

2

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 662, Int. No. 359) entitled "An act to amend section 13 of chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws,' relating to the purchase, sale, mortgage and lease of real property," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Hooker | Saxe |
| Allds | Davis | Gilchrist | Knapp | Sohmer |
| Armstrong | Dunn | Grady | McCall | Sullivan |
| Boyce | Emerson | Grattan | McManus | Taylor |
| Burr | Fancher | Harte | Mullaney | Thompson |
| Carpenter | Foelker | Hasenflug | O'Neil | Travis |
| Cassidy | Franchot | Heacock | Owens | Tully |
| Cobb | Frawley | Hill | Page | Wemple |
| Cohalan | Fuller | Hinman | Ramsperger | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 447, Rec. No. 102) entitled "An act to establish a retirement fund for pensioning teachers of the public schools in the city of Elmira, and to regulate the collection, management and disbursement thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Hooker | Saxe |
| Allds | Davis | Gilchrist | Knapp | Sohmer |
| Armstrong | Dunn | Grady | McCall | Sullivan |
| Boyce | Emerson | Grattan | McManus | Taylor |
| Burr | Fancher | Harte | Mullaney | Thompson |
| Carpenter | Foelker | Hasenflug | O'Neil | Travis |
| Cassidy | Franchot | Heacock | Owens | Tully |
| Cobb | Frawley | Hill | Page | Wemple |
| Cohalan | Fuller | Hinman | Ramsperger | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 115, Rec. No. 19) entitled "An act to amend the Lien Law, in relation to chattel mortgages," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Hooker | Saxe |
| Allds | Davis | Gilchrist | Knapp | Sohmer |
| Armstrong | Dunn | Grady | McCall | Sullivan |
| Boyce | Emerson | Grattan | McManus | Taylor |
| Burr | Fancher | Harte | Mullaney | Thompson |
| Carpenter | Foelker | Hasenflug | O'Neil | Travis |
| Cassidy | Franchot | Heacock | Owens | Tully |
| Cobb | Frawley | Hill | Page | Wemple |
| Cobalan | Fuller | Hinman | Ramsperger | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 624, Rec. No. 80) entitled "An act to amend the Highway Law, in relation to commissioners for laying out, opening, altering or discontinuing highways," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Hooker | Saxe |
| Allds | Davis | Gilchrist | Knapp | Sohmer |
| Armstrong | Dunn | Grady | McCall | Sullivan |
| Boyce | Emerson | Grattan | McManus | Taylor |
| Burr | Fancher | Harte | Mullaney | Thompson |
| Carpenter | Foelker | Hasenflug | O'Neil | Travis |
| Cassidy | Franchot | Heacock | Owens | Tully |
| Cobb | Frawley | Hill | Page | Wemple |
| Cobalan | Fuller | Hinman | Ramsperger | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1131, Rec. No. 157) entitled "An act to amend chapter 371 of the Laws of 1903, entitled 'An act to

amend and consolidate the several acts relative to the city of Schenectady,' relative to the boundaries of the several wards of the city of Schenectady and to increasing the number thereof and defining the boundaries thereof, and election of ward officers and appointing of election officers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|------------|------------|----------|
| Ackroyd | Cullen | Gilechrist | Knapp | Sohmer |
| Allds | Davis | Grady | McCall | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Heacock | Owens | Tully |
| Cassidy | Franchot | Hill | Page | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1089, Rec. No. 158) entitled "An act to create and establish a fireman's relief and pension fund for the fire department for the city of Utica and authorizing the granting and payment of pensions and relief therefrom," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | Knapp | Sohmer |
| Allds | Davis | Grady | McCall | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Heacock | Owens | Tully |
| Cassidy | Franchot | Hill | Page | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 719, Rec. No. 11) entitled "An act to legalize the proceedings of a meeting of the voters of union free school district No. 6, towns of Perry and Castile, county of Wyoming, and of the board of education of said district in the issuance and sale of bonds to the amount of \$50,000," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Hooker | Saxe |
| Agnew | Cullen | Gilchrist | Knapp | Sohmer |
| Allds | Davis | Grady | McCall | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Heacock | Owens | Tully |
| Cassidy | Franchot | Hill | Page | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 661, Int. No. 37) entitled "An act to amend the Code of Civil Procedure, in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|----------|--------|--------|
| Ackroyd | Cordts | Franchot | Hill | Taylor |
| Armstrong | Cullen | Frawley | Hinman | Travis |
| Boyce | Davis | Grady | Hooker | Tully |
| Burr | Dunn | Grattan | O'Neil | Wemple |
| Carpenter | Emerson | Harte | Page | Wilcox |
| Cohalan | Foelker | Heacock | Saxe | |

29

FOR THE NEGATIVE.

Cassidy
FullerGilchrist
McCallMcManus
Mullaney

Ramsperger

Thompson

8

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

Mr. Heacock offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 234, Int. No. 225), entitled "An act to amend chapter 319 of the Laws of 1903, entitled 'An act to make the office of sheriff of Herkimer county a salaried office and to regulate the management of said office,' relative to fees of deputy sheriffs," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned said resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Emerson moved that the committee on internal affairs of towns and counties be discharged from the consideration of Senate bill (No. 47, Int. No. 47), entitled "An act to amend chapter 66 of the Laws of 1906, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' by increasing the number of deputies," and that said bill be amended, reprinted and recommitted to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Leave of absence was granted to Mr. White until Wednesday.

The President presented the report of the State Board of Tax Commissioners, which was laid upon the table and ordered printed.

(See Document.)

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, MARCH 12, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. G. W. Anderson.

The journal of yesterday was read and approved.

Mr. Cullen introduced a bill (Int. No. 645) entitled "An act to amend chapter 507 of the Laws of 1903, entitled 'An act to abolish certain grade crossings of highways and railroads in the borough of Brooklyn in the city of New York and county of Kings, and providing for necessary changes in the grades of highways, streets and avenues, and of portions of the railroad and right of way of the New York, Brooklyn and Manhattan Beach Railway Company, leased to the Long Island Railroad Company and of the Brooklyn Union Elevated Railroad Company, leased to the Brooklyn Heights Railroad Company, so as to abolish present and avoid future crossings at grade, and providing means for the payment for such alterations, or changes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Foelker introduced a concurrent resolution (Int. No. 646) in the words following:

"Concurrent resolution of the Senate and Assembly proposing an amendment to section eight of article seven of the constitution, relative to canals, and excepting a portion of the Black River canal from the provisions of said section.

Section 1. Resolved (if the assembly concur), that section eight of article seven of the constitution be amended to read as follows:

§ 8. The legislature shall not sell, lease or otherwise dispose of the Erie canal, the Oswego canal, the Champlain canal, the Cayuga and Seneca canal, or that portion of the Black River canal south of the northern boundary line of the village of Boonville as the same is now constituted; but they shall remain the property of the state and under its management forever. The prohibition of lease, sale or other disposition herein contained, shall not apply to the canal known as the Main and Hamburg street canal, situated in the city of Buffalo, and which extends easterly from the westerly line of Main street to the westerly line of Hamburg street, nor to

that portion of the Black river canal north of the northern boundary line of the village of Boonville. The canal board may, in its discretion, declare abandoned such portion or portions of the Black River canal, north of the northern boundary line of the village of Boonville, as it may deem advisable. All funds that may be derived from any lease, sale or other disposition of any canal shall be applied to the improvement, superintendence or repair of the remaining portions of the canals.

§ 2. Resolved (if the assembly concur), that the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and in conformity with section one of article fourteen of the constitution, be published for three months previous to the time of such election."

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sohmer introduced a bill (Int. No. 647) entitled "An act to incorporate the Hebrew Free Loan Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Carpenter introduced a bill (Int. No. 648) entitled "An act to create and establish the office of commissioner of elections in the county of Westchester, and prescribing his duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. O'Neil introduced a bill (Int. No. 649) entitled "An act to establish the City Court of the city of Ogdensburg and relating to the recorder of such city and his court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 650) entitled "An act to provide for the removal of dead and floating timber from and cleaning out Fish creek in the towns of Depeyster and Macomb in the county of St. Lawrence, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Tully introduced a bill (Int. No. 651) entitled "An act to amend the Civil Service Law in respect to the registration of

laborers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 652) entitled "An act to amend the Civil Service Law with respect to political contributions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 653) entitled "An act to amend the Civil Service Law with respect to the power of removal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hooker introduced a bill (Int. No. 654) entitled "An act to amend the County Law, in relation to the custody and care of minors in county jails," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Dunn introduced a bill (Int. No. 655) entitled "An act to amend section 221 of the Code of Civil Procedure, relative to the salaries of the clerk and deputy clerk of the Appellate Division of the Fourth Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Franchot introduced a bill (Int. No. 656) entitled "An act to amend the Tax Law, in relation to taxable transfers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Hill introduced a bill (Int. No. 657) entitled "An act to amend the Insanity Law, relative to payments by the treasurer of State hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 658) entitled "An act to amend the Insanity Law, relative to trust funds for the support or maintenance of insane persons in State hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Davis introduced a bill (Int. No. 659) entitled "An act

to amend chapter 592 of the Laws of 1897, entitled 'An act in relation to navigation, constituting chapter 30 of the general laws,' authorizing temporary assignments of the inspectors of steam vessels to the department of labor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Gates introduced a bill (Int. No. 660) entitled "An act to amend chapter 360 of the Laws of 1898, entitled 'An act to amend chapter 413 of the Laws of 1897, entitled "An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law," in reference to the education fund,' in relation to sale of lands by loan commissioners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Tully introduced a bill (Int. No. 661) entitled "An act to amend section 121 of the Insurance Law, with reference to standard fire insurance policies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. McCarren introduced a bill (Int. No. 662) entitled "An act to amend section 33 of chapter 724 of the Laws of 1905, in regard to an additional supply of pure and wholesome water for the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Assembly sent for concurrence the bill (No. 1132, Rec. No. 165) entitled "An act to amend the Railroad Law, relative to motive power of street surface railroads in certain counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 777, Rec. No. 166) entitled "An act to create two common school districts out of common school district No. 15 of the town of Catskill, Greene county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill (No. 943, Rec. No. 167) entitled "An act to legalize certain bonds of the town of Hunter in the county of

Greene," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 494, Rec. No. 168) entitled "An act to incorporate 'The Queens Borough Public Library,' and to permit libraries in the borough of Queens of the city of New York, to convey their property thereto, and limiting and defining the powers thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 577, Rec. No. 169) entitled "An act to legalize the acts of Frederick B. Van Vleck, a commissioner of deeds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 577, Rec. No. 169) entitled "An act to repeal section 3 of chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to the removal of actions to courts of higher jurisdiction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 807, Rec. No. 171) entitled "An act to amend chapter 530 of the Laws of 1904, entitled 'An act to incorporate the Brooklyn Academy of Music, in the borough of Brooklyn, city of New York,' in relation to its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1159, Rec. No. 172) entitled "An act to legalize, and to provide for the payment of, bonds of the village of Bergen, Genesee county, New York, sold and issued for the purpose of defraying the expense for the establishment of a system of water works for supplying said village and its inhabitants with water," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hooker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Also, the bill (No. 1130, Rec. No. 173) entitled "An act to amend the Greater New York charter, relative to the acquirement and operation of ferries and the acquirement of property therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1150, Rec. No. 174) entitled "An act to legalize, ratify and confirm the acts and proceedings of the board of trustees of the village of Port Chester, in the county of Westchester, and regulating, grading and paving Traverse avenue, a public highway of said village, and to legalize and confirm the bonds issued or to be issued for the payment of the portion of the expense chargeable to or payable by the said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate bill (No. 482, Int. No. 430) entitled "An act to amend the Railroad Law, in relation to the consents of local authorities," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Frawley | Hill | Sullivan |
| Armstrong | Davis | Fuller | Hooker | Taylor |
| Boyce | Dunn | Gates | Mullaney | Thompson |
| Burr | Emerson | Grattan | O'Neil | Travis |
| Carpenter | Fancher | Harte | Owens | Tully |
| Cassidy | Foelker | Hasenflug | Page | Wemple |
| Cobb | Franchot | Heacock | Ramsperger | Wilcox |
| Cohalan | | | | |

36

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 439, Int. No. 391) entitled "An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' relative to revising several sections of said charter," having been announced for third reading, Mr. Ackroyd moved that said bill be recommitted to the

committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 3, line 19, after the word "made" insert comma.

Page 5, line 1, strike out the word "news".

Page 6, line 6, strike out the word "thereon" and insert the words "on the same".

Page 9, strike out all of line 4.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. McCall moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 299, Int. No. 276), entitled "An act to amend the Greater New York charter by enacting a new section, to be known as section 823-f, relative to the acquirement of certain water front property between West Thirty-fourth street and West Fiftieth street, on the North river, borough of Manhattan, city of New York," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Mullaney moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 184, Int. No. 177), entitled "An act to amend the Greater New York charter by enacting a new section to be known as section 823-e, relative to the acquirement of certain water front property between Montgomery street and East Sixteenth street, on the East river, borough of Manhattan, city of New York," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Assembly (No. 558, Senate reprint No. 726, Rec. No. 48),

entitled "An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel."

(2) Senate (No. 161, Int. No. 157), entitled "An act to legalize and confirm the proceedings of William Heffer, sole trustee, and the legal voters of school district No. 3 of the town of Penfield, New York, relative to the levy of a tax payable in installments and the issuance and sale of certain school bonds of said district."

(3) Senate (No. 370, Int. No. 327), entitled "An act to amend section 31 of the Forest, Fish and Game Law, being section 31 of the general law as amended, with respect to the closed season on Mongolian ring-necked and English pheasants in the county of Dutchess."

(4) Senate (No. 416, Int. No. 374), entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish prisoners, and to define the powers of the consolidated corporation."

(5) Senate (No. 454, Int. No. 400), entitled "An act to provide for the fees to be charged in the office of the register of the county of Kings."

(6) Senate (No. 465, Int. No. 412), entitled "An act to amend chapter 153 of the Laws of 1833, entitled 'An act to incorporate the New England Society in the city of New York,' in relation to the members voting by proxy."

(7) Senate (No. 470, Int. No. 417), entitled "An act to amend chapter 272 of the Laws of 1830, entitled 'An act to incorporate the Canterbury Fire Company,' and the several acts amendatory thereof, in relation to the purposes of said corporation, and increasing the membership thereof."

(8) Senate (No. 481, Int. No. 429), entitled "An act to amend the Election Law, as amended by chapters 95 and 232 of the Laws of 1901, and chapter 643 of the Laws of 1905, relating to notices of election."

(9) Senate (No. 488, Int. No. 434), entitled "An act to amend section 188 of chapter 20 of the Laws of 1900, entitled 'An act

for the protection of the forests, fish and game of the State, constituting chapter 31 of the general laws.' "

(10) Senate (No. 489, Int. No. 435), entitled "An act to amend the Penal Code, in relation to larceny."

(11) Senate (No. 520, Int. No. 453), entitled "An act to amend 'An act to incorporate the trustees of the William Crosswell Doane Fund for Christian work in the diocese of Albany' (being chapter 205 of the Laws of 1906), passed April 12, 1906."

(12) Senate (No. 523, Int. No. 456), entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city."

(13) Senate (No. 695, Int. No. 457), entitled "An act to amend the State Charities Law, in relation to the visitation and reports of managers of State charitable institutions."

(14) Senate (No. 547, Int. No. 473), entitled "An act to amend chapter 10 of the Laws of 1902, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population.' "

(15) Senate (No. 572, Int. No. 491), entitled "An act to incorporate the Odd Fellows Temple Association of the city of Cohoes, New York."

(16) Senate (No. 696, Int. No. 503), entitled "An act to authorize the city of Jamestown to receive contributions for certain purposes, and to determine the manner of collecting the same."

(17) Senate (No. 697, Int. No. 513), entitled "An act to amend section 458 of the Penal Code, relating to crimes against the public peace."

(18) Senate (No. 621, Int. No. 536), entitled "An act to amend the County Law, relative to the appointment of assistant district attorney in the county of Richmond."

(19) Senate (No. 629, Int. No. 544), entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to fees of officers in certain cases."

(20) Senate (No. 630, Int. No. 545), entitled "An act to

amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to ordinances enacted by the common council, and the enforcement thereof."

(21) Assembly (No. 35, Rec. No. 15), entitled "An act legalizing certain proceedings of the board of assessors of the city of Elmira in making and returning the assessment roll for the year 1906."

(22) Assembly (No. 332, Rec. No. 76), entitled "An act to incorporate Alliance Francaise de New York."

(23) Assembly (No. 918, Senate reprint No. 721, Rec. No. 115), entitled "An act to amend the Forest, Fish and Game Law, in relation to powers of the supervisors in certain counties in respect to nets, pounds and other illegal devices."

(24) Assembly (No. 680, Rec. No. 124), entitled "An act to amend chapter 195 of the Laws of 1886, entitled 'An act to make the office of county clerk of Monroe county a salaried office and regulating the management of said office,' in relation to the salary of special deputy clerks."

(25) Assembly (No. 1040, Rec. No. 132), entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the salary of the city judge."

(26) Assembly (No. 1037, Rec. No. 134), entitled "An act to authorize the city of Yonkers to borrow money by the issue of bonds for the purchase of land and the appurtenances thereof for park purposes and for the payment of the purchase price of lands already contracted for for park purposes, and for the grading and improving of the same within the city of Yonkers."

(27) Assembly (No. 1036, Rec. No. 135), entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' relative to the issue of bonds for street pavements."

(28) Assembly (No. 619, Rec. No. 61), entitled "An act to amend the Forest, Fish and Game Law, in relation to definitions and construction."

(29) Assembly (No. 832, Senate reprint No. 689, Rec. No. 127), entitled "An act to amend the Village Law, in relation to village assessors."

After some time spent therein, the President resumed the chair, and Mr. Wilcox from said committee, reported in favor of the passage of the above-named bills, the thirteenth-named bill with amendments, which report was agreed to, and said bills ordered to a third reading.

The Assembly returned the Senate bill (No. 443, Int. No. 59) entitled "An act to amend the County Law, relative to the appointment of assistant district attorneys in the county of Queens," with a message that they have concurred in the passage of the same.

Mr. Harte moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Hooker | Smith |
| Allds | Davis | Gilchrist | Knapp | Sohmer |
| Armstrong | Dunn | Grady | McCall | Sullivan |
| Boyce | Emerson | Grattan | McCarren | Taylor |
| Burr | Fancher | Harte | Mullaney | Thompson |
| Carpenter | Foelker | Hasenflug | O'Neil | Travis |
| Cassidy | Franchot | Heacock | Owens | Tully |
| Cobb | Frawley | Hill | Page | Wemple |
| Cohalan | Fuller | Hinman | Ramsperger | Wilcox |
| Cordts | | | | |

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The vote upon the final passage of the said bill having been reconsidered, Mr. Harte moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 17, after the word "second" insert the word "assistant."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 276, Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, New York," was returned by the mayor of the city of Schenectady,

with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

The Senate bill (No. 277, Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, New York," was returned by the mayor of the city of Schenectady, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

The Senate bill (No. 387, Int. No. 344) entitled "An act to amend section 6 of title 3 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers, in relation to the appointment of additional help in the office of the city clerk,'" was returned by the mayor of the city of Yonkers with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

The Senate bill (No. 424, Int. No. 228) entitled "An act to amend chapter 225 of the Laws of 1901; entitled 'An act to incorporate the city of Oneida,' in relation to sewers," was returned by the mayor of the city of Oneida with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Senate bill (No. 505, Int. No. 202) entitled "An act to amend the Village Law, in relation to the compensation of the president and trustees, in villages having a population of 14,000 or over."

Also, Senate bill (No. 425, Int. No. 55) entitled "An act to amend section 258 of the Code of Civil Procedure, relating to the appointment of stenographers for the Supreme Court so as to permit the appointment of additional stenographers in the seventh and eighth judicial districts," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Senate bill (No. 376, Int. No. 333) entitled "An act to amend the charter of the city of Hudson,

in relation to the board of education," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Hudson for a hearing, pursuant to the provisions of the Constitution.

The Assembly returned the Senate bill (No. 406, Int. No. 363) entitled "An act to provide for a temporary extension of the Manhattan or westerly terminal of the New York and Brooklyn bridge in the city of New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the Constitution.

The Assembly returned the Senate bill (No. 405, Int. No. 362) entitled "An act to amend chapter 712 of the Laws of 1901, entitled 'An act to relieve the congestion and facilitate the traffic on the New York and Brooklyn bridge, and to improve and extend the foot paths, roadways, railway tracks and other facilities for the use of pedestrians, vehicles and railway passengers at the westerly or Manhattan terminal of said bridge,' as to amendments, changes or modifications," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the Constitution.

The Assembly returned the Senate bill (No. 333, Int. No. 304) entitled "An act authorizing the city of Albany and the Albany Orphan Asylum to enter into an agreement for determining the boundary line between their premises, and to exchange lands in fulfillment thereof," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Albany for a hearing, pursuant to the provisions of the Constitution.

The Assembly returned Senate bill (No. 545, Int. No. 471) entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Fulton for a hearing, pursuant to the provisions of the Constitution.

The Assembly returned the Senate bill (No. 84, Int. No. 84) entitled "An act to authorize the erection of a fire proof children's museum building in the borough of Brooklyn, city of New York, in place of the present building and the designation or acquisition of a site therefor, and to provide for the care and maintenance of the same," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the Constitution.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, MARCH 13, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. F. H. Reynolds.

The journal of yesterday was read and approved.

Mr. Harte introduced a bill (Int. No. 663) entitled "An act to establish a bulkhead line and marginal street for that part of Jamaica bay lying between Far Rockaway and Rockaway Point, in the fifth ward of the borough of Queens in the city of New York, and to authorize and empower the board of estimate and apportionment to settle disputes with owners of adjacent property, and to acquire title in relation thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Travis introduced a bill (Int. No. 664) entitled "An act amending section 1064 of the Greater New York charter, in relation to the general school fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Agnew introduced a bill (Int. No. 665) entitled "An act to incorporate Russell Sage Foundation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Page introduced a bill (Int. No. 666) entitled "An act to amend the University Law, relative to libraries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, a bill (Int. No. 667) entitled "An act to amend chapter 334 of the Laws of 1901, entitled 'An act in relation to tenement-houses in cities of the first class,' relative to bakeries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 668) entitled "An act to legalize and validate certain bridge bonds of the village of Mamaroneck and proceedings thereto taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery and sale thereof and for the levy of a tax for the payment of the principal and interest thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 669) entitled "An act to establish school district No. 1, town of Ossining, in the county of Westchester, into a union free school district and to bring such school district under the provisions of the Consolidated School Law; and to provide a board of education therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Wemple introduced a bill (Int. No. 670) entitled "An act to protect owners of securities of railroads having mortgages of record," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, a bill (Int. No. 671) entitled "An act in relation to furnishing free text books to the pupils of the schools of the city of Schenectady, at the expense of said city," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Ackroyd introduced a bill (Int. No. 672) entitled "An act to assist in developing the commerce of the State by the extension and improvement of the channel of the Black river canal and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 673) entitled "An act to enhance the general prosperity of the State by reopening and improving the abandoned Chenango canal and extension thereof to the coal mines of Pennsylvania and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Gates introduced a bill (Int. No. 674) entitled "An act to reappropriate money for the erection of a new armory building in the city of Oswego, as provided for by chapter 742 of the Laws of 1905," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Tully introduced a bill (Int. No. 675) entitled "An act to amend the Penal Code, in relation of certain drugs without prescription and the prescribing of certain drugs for habitual users of drugs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Davis introduced a bill (Int. No. 676) entitled "An act in relation to probation in the State of New York, constituting chapter 52 of the general laws," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 677) entitled "An act to amend the Code of Criminal Procedure, relative to the appointment of probationary officers, and defining their duties, and with relation to criminal statistics," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 678) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," and to consolidate therewith the several acts in relation to the charter of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 679) entitled "An act to repeal sections 384-b and 384-c of chapter 105 of the Laws of the year 1891, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter 627 of the Laws of the year 1901, in relation to the police justice," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 680) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, determine, audit and allow claims of certain persons for services as probation officers in the city of New York, and directing the comptroller to pay such claims as may be allowed for such services by said board," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 681) entitled "An act to amend the Greater New York charter, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 682) entitled "An act to amend section 291 of the Penal Code of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McCarren introduced a bill (Int. No. 683) entitled "An act authorizing the Roman Catholic Sisters of Charity of Brooklyn, New York, a benevolent and charitable corporation, to convey a portion of its real property located in the borough of

Brooklyn, county of Kings, city and State of New York, to the Right Reverend Charles E. McDonnell, D.D., bishop of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Davis introduced a bill (Int. No. 684) entitled "An act exempting the bonds of Erie county from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 685) entitled "An act to enable the board of education of the Methodist Episcopal Church to transfer its property to 'The board of education, Freedman's Aid and Sunday-schools of the Methodist Episcopal Church,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McManus (by request) introduced a bill (Int. No. 686) entitled "An act to enable John Montgomery to be admitted to practice as an attorney and counselor at law of the Supreme Court of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McCall introduced a bill (Int. No. 687) entitled "An act to regulate the practice of massotherapy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Frawley introduced a bill (Int. No. 688) entitled "An act to amend the Insurance Law, relative to salaries of officers and agents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill (Int. No. 689) entitled "An act to amend the Insurance Law, relative to compelling conversion of stock life insurance corporations into mutual corporations and to wind up the affairs of insolvent corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Wemple introduced a bill (Int. No. 690) entitled "An act to amend chapter 617 of the Laws of 1868, entitled 'An act to

incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' as amended by chapter 321 of the Laws of 1876, and as further amended by chapter 127 of the Laws of 1887, and as further amended by chapter 260 of the Laws of 1889," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sullivan introduced a bill (Int. No. 691) entitled "An act authorizing the board of estimate and apportionment of the city of New York in its discretion to direct that the cost and expense of opening, widening or extending streets in said city for the purpose of using such streets as an approach to bridges connecting the various boroughs of said city, shall be borne and paid by the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 692) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the city of New York for assessments affecting property in the city of New York, and directing the comptroller to mark such assessments accordingly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Smith introduced a bill (Int. No. 693) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in certain counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

The Assembly sent for concurrence the bill (No. 843, Rec. No. 175) entitled "An act to authorize the board of supervisors of Onondaga county to dispose of certain real property no longer required for county purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1121, Rec. No. 176) entitled "An act to amend the uniform charter of cities of the second class, relative to salary of city engineer in certain cities," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 631, Rec. No. 177) entitled "An act to authorize the police commissioner of the city of New York, in his discretion, to reopen the investigation of the legality of the appointment of Joseph Devlin as a member of the police department and force of the city of New York, to make a reinvestigation of the same and to reinstate or restore him as a roundsman in the police department and force of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 678, Rec. No. 178) entitled "An act to amend chapter 392 of the Laws of 1896, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of certain employees in the jail of said county, in relation to salary of jailor,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 519, Rec. No. 179) entitled "An act to amend the Consolidated School Law, in relation to the eligibility of candidates for competitive examinations for free scholarships at Cornell University," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill (No. 881, Rec. No. 180) entitled "An act to legalize and validate certain paving bonds of the village of Mamaroneck and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of a tax for the payment of the principal and interest thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Carpenter, and by unanimous consent, said bill was substituted for Senate bill (No. 516, Int. No. 449), now in the committee of the whole.

Also, the bill (No. 886, Rec. No. 181) entitled "An act authorizing the Canal Board to designate in certain cases the places whereat State grants of water rights may be exercised," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 992, Rec. No. 182) entitled "An act to permit the city of Ithaca, upon request of the Ithaca water board, to sell and convey real property pertaining to the water department of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1070, Rec. No. 183) entitled "An act to provide for fixing the salaries of the corporation counsel and the city engineer of the city of Yonkers on and after January 2, 1908," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1014, Rec. No. 184) entitled "An act to amend the title to chapter 664 of the Laws of 1906, entitled 'An act to amend chapter 685 of the Laws of 1895, entitled "An act to revise the charter of the city of Yonkers," and the acts amendatory thereof, relative to the removal of members of the uniformed police and fire departments,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 839, Rec. No. 185) entitled "An act to amend chapter 233 of the Laws of 1884, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga, and for post-mortem examinations in coroners' cases in said county,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1047, Rec. No. 186) entitled "An act to amend chapter 309 of the Laws of 1902, entitled 'An act to provide a purchasing agent for the county of Monroe and to repeal certain existing provisions of law relative thereto,' relative to salary of stenographer of purchasing agent and powers and duties

of such purchasing agent," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 15, Rec. No. 187) entitled "An act in relation to the price of electric current furnished or sold in the city of Albany for light, heat, power or other purposes to consumers other than said city and providing a penalty for violation," which was read the first time; and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 872, Rec. No. 188) entitled "An act to authorize any trial justice of the Supreme Court in the third judicial district to examine and certify the claim of James M. Ruso for furnishing a transcript of the stenographic minutes of the trial of the people of the State of New York against Richard E. Preusser to the presiding justice, on his request, in March, 1905," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 902, Rec. No. 189) entitled "An act to enable the school commissioner of Nassau county to consolidate union free school districts Nos. 4 and 5 of the town of North Hempstead, Nassau county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill (No. 888, Rec. No. 190) entitled "An act creating the office of county attorney of Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 887, Rec. No. 191) entitled "An act to legalize and confirm the organization and existence of common school district No. 9 of the towns of Sweden and Clarkson and to legalize and confirm all proceedings of the board of trustees and legal voters of such common school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 899, Rec. No. 192) entitled "An act to enable the county of Erie to provide for the establishment of a county lodging-house and the maintenance of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 927, Rec. No. 193) entitled "An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 662, Rec. No. 194) entitled "An act to amend chapter 766 of the Laws of 1897, entitled 'An act to abolish fine and imprisonment for non-payment of taxes,' relative to poll taxes levied for highway purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 89, Rec. No. 195) entitled "An act authorizing the police commissioner of the city of New York to appoint John W. Pinkley, an ex-policeman of the city of New York, who resigned from said police department November 24, 1897," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 154, Rec. No. 196) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to actions by wage-earners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1164, Rec. No. 197) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to fees of officers in certain cases," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fancher, and by unanimous consent, said bill

was substituted for Senate bill (No. 629, Int. No. 544), now on the order of third reading.

Also, the bill (No. 330, Rec. No. 198) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for grouse, woodcock, quail and trout in the county of Cattaraugus," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1149, Rec. No. 199) entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,' in relation to the powers of the village president in respect to conserving the public health and raising money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 870, Rec. No. 200) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, N. Y., and to provide for the method and means of paying therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 692, Int. No. 23), entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction."

Also, Senate bill (No. 693, Int. No. 291) entitled "An act to amend chapter 718 of the Laws of 1904, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for boys, and establishing the said school,' as amended by chapter 133 of the Laws of 1905 and by chapter 617 of the Laws of 1906, in relation to the grant by the Commissioners of the Land Office to the city of New York of the sunken meadow in East river adjacent to Randall's island, and of the land under water surrounding the same to the bulkhead line."

Also, Senate bill (No. 694, Int. No. 533) entitled "An act authorizing the city of Buffalo to create a sinking fund with the avails of a sale of certain grade crossing bonds made on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, and from such fund to pay for the work for which said bonds were issued when the same shall be duly ordered, or to redeem said bonds with said fund; and to award other bonds to said fund without advertising."

Also, Senate bill (No. 161, Int. No. 157) entitled "An act to legalize and confirm the proceedings of William Heffer, sole trustee, and the legal voters of school district No. 3 of the town of Penfield, N. Y., relative to the levy of a tax payable in installments and the issuance and sale of certain school bonds of said district."

Also, Senate bill (No. 370, Int. No. 327) entitled "An act to amend section 31 of the Forest, Fish and Game Law, being section 31 of the general laws, as amended with respect to the close season on Mongolian ring-necked and English pheasants in the county of Dutchess."

Also, Senate bill (No. 416, Int. No. 374) entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners, and to define the powers of the consolidated corporation."

Also, Senate bill (No. 454, Int. No. 400) entitled "An act to provide for the fees to be charged in the office of the county of Kings."

Also, Senate bill (No. 465, Int. No. 412) entitled "An act to amend chapter 153 of the Laws of 1833, entitled 'An act to incorporate the New England Society in the city of New York,' in relation to the members voting by proxy."

Also, Senate bill (No. 488, Int. No. 434) entitled "An act to amend section 188 of chapter 20 of the Laws of 1900, entitled 'An act for the protection of the forests, fish and game of the State, constituting chapter 31 of the general laws.'"

Also, Senate bill (No. 520, Int. No. 453) entitled "An act to amend 'An act to incorporate the trustees of the William Croswell Doane fund for Christian work in the diocese of Albany' (being chapter 205 of the Laws of 1906), passed April 12, 1906."

Also, Senate bill (No. 547, Int. No. 473) entitled "An act to amend chapter 10 of the Laws of 1902, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population.'"

Also, Senate bill (No. 621, Int. No. 536) entitled "An act to amend the County Law, relative to the appointment of assistant district attorney in the county of Richmond."

Also, Senate bill (No. 572, Int. No. 491) entitled "An act to incorporate the Odd Fellows Temple Association of the city of Cohoes, N. Y."

Also, Senate bill (No. 629, Int. No. 544) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to fees of officers in certain cases."

Also, Senate bill (No. 630, Int. No. 545) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to ordinances enacted by the common council, and the enforcement thereof."

Also, Assembly bill (No. 193, Senate reprint No. 690, Rec. No. 26) entitled "An act making an appropriation for the payment of refunds on surrender of liquor tax certificates."

Also, Assembly bill (No. 832, Senate reprint No. 689, Rec. No. 127) entitled "An act to amend the Village Law, in relation to village assessors."

Also, Assembly bill (No. 344, Senate reprint No. 688, Rec. No. 27) entitled "An act to provide for the payment of the balance due newspapers for the publication of concurrent resolutions of the Legislature of 1906, proposing amendments to the Constitution of this State, and for deficiency in appropriation for the publication of other official notices required to be published as provided by law, which are subject to contract."

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Allds (No. 638, Int. No. 557), entitled "An act to amend chapter 7 of the Laws of 1904, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to the paid police force," reported in favor of the passage of the same, which report was

agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Carpenter (No. 705, Int. No. 595), entitled "An act to create the office of building inspector in the village of White Plains and to provide for the appointment of the same," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. C. F. Foley (No. 960, Rec. No. 128), entitled "An act authorizing the city of Lockport to issue bonds for the purpose of acquiring property for a right of way; constructing a distributing main; and for other purposes necessary in acquiring and constructing the system of water works, now under contract for construction, for said city," reported in favor of the passage of the same with amendments, with a recommendation that said bill be advanced to the order of third reading.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Hinman (No. 676, Int. No. 585), entitled "An act to provide for supplying the village of McGrawville with water, to authorize said village to incur indebtedness therefor and to create a board of water commissioners for said village," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hinman, from the committee on miscellaneous corporations, to which was referred the Senate bill introduced by Mr. Agnew (No. 515, Int. No. 448), entitled "An act to regulate the taking of deposits by certain persons, firms and corporations," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Hooker (No. 679, Int. No. 588), entitled "An act to amend the Railroad Law, in rela-

tion to the consents of local authorities," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Page (No. 641, Int. No. 551), entitled "An act to amend section 881 of the Code of Civil Procedure, relative to the reading in evidence of the deposition of a party, now deceased, in an action subsequently brought by decedent's executor or administrator," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Smith (No. 355, Int. No. 322), entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing with nets in Hudson and Delaware rivers and adjacent waters," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Allds (No. 670, Int. No. 579), entitled "An act to amend the Forest, Fish and Game Law, in relation to transportation of certain fish," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Allds (No. 646, Int. No. 556), entitled "An act to amend the Code of Civil Procedure, in relation to appeals from orders," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Page (No. 592, Int. No. 511), entitled "An act to amend section 384-h of the Penal Code, relative to hours of labor to be required of employees of a corporation operating a line of railroad thirty miles in length, or over," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hinman, from the committee on miscellaneous corporations, to which was referred the Senate bill introduced by Mr. Grattan (No. 44, Int. No. 44), entitled "An act in relation to illuminating gas in the city of Albany and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violations," reported in favor of the passage of the same with amendments, Senator Hinman dissenting, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Carpenter (No. 645, Int. No. 555), entitled "An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Carpenter (No. 704, Int. No. 594), entitled "An act to amend an act to organize and establish a police department for the village of White Plains, county of Westchester and State of New York, being chapter 306 of the Laws of 1904 as amended by chapter 165 of the Laws of 1906," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Carpenter (No. 706, Int. No. 596), entitled "An act to amend an act, entitled 'An act to provide for supplying the village of White Plains with water and authorizing the issue of bonds therefor and to create a board of water commissioners for said village,' being chapter 769 of the Laws of 1896," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hinman, from the committee on miscellaneous corpora-

tions, to which was referred the Senate bill introduced by Mr. Grattan (No. 45, Int. No. 45), entitled "An act in relation to the price of electric current furnished or sold in the city of Albany, for light, heat, power or other purposes to consumers other than said city and providing a penalty for violations," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Grattan moved that the committee on affairs of cities be discharged from the consideration of Assembly bill (No. 15, Rec. No. 187) of same title.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Grattan, and by unanimous consent, said bill was substituted for Senate bill (No. 45, Int. No. 45), now in the committee of the whole.

The Assembly bill (No. 35, Rec. No. 15) entitled "An act legalizing certain proceedings of the board of assessors of the city of Elmira in making and returning the assessment roll for the year 1906," having been announced for third reading,

Mr. Cohalan moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, after line 13, insert the words "This act shall not affect any action or proceeding now pending in any court of this state."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|---------|----------|--------|----------|----|
| Armstrong | Frawley | Harte | Owens | Sullivan | |
| Cohalan | Fuller | Mullaney | Sohmer | Taylor | 10 |

FOR THE NEGATIVE.

| | | | | | |
|-----------|----------|-----------|------------|----------|----|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith | |
| Agnew | Cullen | Grattan | McManus | Thompson | |
| Allds | Dunn | Hasenflug | O'Neil | Travis | |
| Boyce | Emerson | Heacock | Page | Tully | |
| Carpenter | Fancher | Hill | Ramsperger | Wemple | |
| Cassidy | Franchot | Hooker | Saxe | Wilcox | |
| Cobb | Gates | McCall | | | 33 |

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | McCall | Saxe |
| Agnew | Davis | Gilchrist | McCarren | Smith |
| Allds | Dunn | Grattan | McManus | Thompson |
| Boyce | Emerson | Hasenfug | O'Neil | Travis |
| Carpenter | Fancher | Heacock | Owens | Tully |
| Cassidy | Foelker | Hill | Page | Wemple |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |
| Cordts | | | | |

36

FOR THE NEGATIVE.

| | | | | |
|---------|----------|--------|----------|--------|
| Cohalan | Harte | Sohmer | Sullivan | Taylor |
| Fuller | Mullaney | | | |

7

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

Leave of absence was granted to Messrs. Raines, Grady, White, Knapp and Hinman.

The Senate bill (No. 547, Int. No. 473) entitled "An act to amend chapter 10 of the Laws of 1902, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenfug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 572, Int. No. 491) entitled "An act to incorporate the Odd Fellows Temple Association of the city of Cohoes, N. Y.," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 520, Int. No. 453) entitled "An act to amend 'An act to incorporate the trustees of the William Crosswell Doane fund for Christian work in the diocese of Albany' (being chapter 205 of the Laws of 1906), passed April 12, 1906," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neill | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |

| | | | | |
|-----------|----------|---------|------------|--------|
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 621, Int. No. 536) entitled "An act to amend the County Law, relative to the appointment of assistant district attorney in the county of Richmond," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Alds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1164, Rec. No. 197) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to fees of officers in certain cases," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1037, Rec. No. 134) entitled "An act to authorize the city of Yonkers to borrow money by the issue of bonds for the purchase of land and the appurtenances thereof for park purposes and for the payment of the purchase of lands already contracted for park purposes and for the grading and improving of the same within the city of Yonkers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 630, Int. No. 545) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to ordinances enacted by the common council, and the enforcement thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1036, Rec. No. 135) entitled "An act to authorize the city of Yonkers to borrow money by the issue of bonds for the purchase of land and the appurtenances thereof for park purposes and for the payment of the purchase price of land already contracted for park purposes, and for the grading and improving of the same within the city of Yonkers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 694, Int. No. 533) entitled "An act authorizing the city of Buffalo to create a sinking fund with the avails of a sale of certain grade crossing bonds made on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, and from such fund to pay for the work for which said bonds were issued when the same shall be duly ordered, or to redeem said bonds with said fund; and to award other bonds to said fund without advertising," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobalan | Fuller | McCall | Sohmer |
| Agnew | Cordts | Gates | McCarren | Sullivan |
| Allds | Cullen | Gilchrist | McManus | Taylor |
| Armstrong | Davis | Grattan | O'Neil | Thompson |
| Boyce | Dunn | Harte | Owens | Travis |
| Burr | Emerson | Hasenflug | Page | Tully |
| Carpenter | Fancher | Heacock | Ramsperger | Wemple |
| Cassidy | Foelker | Hill | Saxe | Wilcox |
| Cobb | Franchot | Hooker | Smith | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 693, Int. No. 291) entitled "An act to amend chapter 718 of the Laws of 1904, entitled 'An act authorizing the selection of lands as the site for the New York Training School for Boys, and establishing the said school,' as amended by chapter 133 of the Laws of 1905 and by chapter 617 of the Laws of 1906, in relation to the grant by the Commissioners of the Land Office to the city of New York of the sunken meadow in East river adjacent to Randall's island, and of the land under water surrounding the same to the bulkhead line," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | McCarren | Sohmer |
| Agnew | Cordts | Gilchrist | McManus | Sullivan |
| Allds | Cullen | Grattan | O'Neil | Taylor |
| Armstrong | Davis | Harte | Owens | Thompson |
| Boyce | Dunn | Hasenflug | Page | Travis |
| Burr | Emerson | Heacock | Ramsperger | Tully |
| Carpenter | Fancher | Hill | Saxe | Wemple |
| Cassidy | Foelker | Hooker | Smith | Wilcox |
| Cobb | Franchot | McCall | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 193, Senate reprint No. 690, Rec. No. 26) entitled "An act making an appropriation for the payment of refunds on surrender of liquor tax certificates," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 344, Senate reprint No. 688, Rec. No. 27) entitled "An act to provide for the payment of the balance due newspapers for the publication of concurrent resolutions of the Legislature of 1906, proposing amendments to the consti-

tution of this State, and for deficiency in appropriation for the publication of other official notices required to be published as provided by law, which are subject to contract," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cobalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 832, Senate reprint No. 689, Rec. No. 127) entitled "An act to amend the Village Law, in relation to village assessors," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cobalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 416, Int. No. 374) entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners, and to define the powers of the consolidated corporation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 370, Int. No. 327) entitled "An act to amend section 31 of the Forest, Fish and Game Law, being section 31 of the general laws, as amended with respect to the closed season on Mongolian ring-necked and English pheasants in the county of Dutchess," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |

| | | | | |
|-----------|----------|-----------|------------|----------|
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 465, Int. No. 412) entitled "An act to amend chapter 153 of the Laws of 1833, entitled 'An act to incorporate the New England Society in the City of New York,' in relation to the members voting by proxy," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 488, Int. No. 434) entitled "An act to amend section 188 of chapter 20 of the Laws of 1900, entitled 'An act for the protection of the forests, fish and game of the State, constituting chapter 31 of the general laws,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 454, Int. No. 400) entitled "An act to provide for the fees to be charged in the office of the register of the county of Kings," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allds | Davis | Gilchrist | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Ramsperger | Wemple |
| Cobb | Frawley | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1159, Rec. No. 172) entitled "An act to legalize, and to provide for the payment of, bonds of the village of Bergen, Genesee county, N. Y., sold and issued for the purpose of defraying the expense for the establishment of a system of water works for supplying said village and its inhabitants with water," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar

legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cobb | Foelker | McCall | Sohmer |
| Agnew | Cohalan | Franchot | McCarren | Sullivan |
| Allds | Cordts | Fuller | O'Neil | Taylor |
| Armstrong | Cullen | Gates | Owens | Thompson |
| Boyce | Davis | Harte | Page | Travis |
| Burr | Dunn | Hasenflug | Ramsperger | Tully |
| Carpenter | Emerson | Hill | Saxe | Wemple |
| Cassidy | Fancher | Hooker | Smith | Wilcox |

40

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 619, Rec. No. 61) entitled "An act to amend the Forest, Fish and Game Law, in relation to definitions and construction," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cobb | Foelker | McCall | Sohmer |
| Agnew | Cohalan | Franchot | McCarren | Sullivan |
| Allds | Cordts | Fuller | O'Neil | Taylor |
| Armstrong | Cullen | Grattan | Owens | Thompson |
| Boyce | Davis | Harte | Page | Travis |
| Burr | Dunn | Hasenflug | Ramsperger | Tully |
| Carpenter | Emerson | Hill | Saxe | Wemple |
| Cassidy | Fancher | Hooker | Smith | Wilcox |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 332, Rec. No. 76) entitled "An act to incorporate Alliance Francaise de New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cobb | Foelker | McCall | Sohmer |
| Agnew | Cohalan | Franchot | McCarren | Sullivan |
| Allds | Cordts | Fuller | O'Neil | Taylor |
| Armstrong | Cullen | Grattan | Owens | Thompson |
| Boyce | Davis | Harte | Page | Travis |
| Burr | Dunn | Hasenflug | Ramsperger | Tully |
| Carpenter | Emerson | Hill | Saxe | Wemple |
| Cassidy | Fancher | Hooker | Smith | Wilcox |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 680, Rec. No. 124) entitled "An act to amend chapter 195 of the Laws of 1886, entitled 'An act to make the office of county clerk of Mouroe county a salaried office and regulating the management of said office,' in relation to the salary of special deputy clerks," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cobb | Foelker | McCall | Sohmer |
| Agnew | Cohalan | Franchot | McCarren | Sullivan |
| Allds | Cordts | Fuller | O'Neil | Taylor |
| Armstrong | Cullen | Grattan | Owens | Thompson |
| Boyce | Davis | Harte | Page | Travis |
| Burr | Dunn | Hasenflug | Ramsperger | Tully |
| Carpenter | Emerson | Hill | Saxe | Wemple |
| Cassidy | Fancher | Hooker | Smith | Wilcox |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1040, Rec. No. 132) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the salary of the city judge," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cobb | Foelker | McCall | Sohmer |
| Agnew | Cohalan | Franchot | McCarren | Sullivan |
| Allds | Cordts | Fuller | O'Neil | Taylor |
| Armstrong | Cullen | Grattan | Owens | Thompson |
| Boyce | Davis | Harte | Page | Travis |
| Burr | Dunn | Hasenflug | Ramsperger | Tully |
| Carpenter | Emerson | Hill | Saxe | Wemple |
| Cassidy | Fancher | Hooker | Smith | Wilcox |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 692, Int. No. 23) entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction," having been announced for third reading, Mr. Gilchrist moved that said bill be recommitted to the committee on affairs of cities for a hearing, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate bill (No. 481, Int. No. 429) entitled "An act to amend the Election Law, as amended by chapters 95 and 232 of the Laws of 1901 and chapter 643 of the Laws of 1905, relating to notices of election," having been announced for third reading, Mr. Davis moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 24, after the word "elections" and before the ensuing period, insert "two of which shall be of the political faith of the party casting the highest vote for governor at the last preceding general election therefor, and two of the party casting the next highest vote for governor at such election".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 167, Int. No. 157) entitled "An act to

legalize and confirm the proceedings of William Heffer, sole trustee, and the legal voters of school district No. 3 of the town of Penfield, N. Y., relative to the levy of a tax payable in installments and the issuance and sale of certain school bonds of said district," having been announced for third reading, Mr. Dunn moved that said bill be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Neil moved that the committee on finance be discharged from the consideration of Assembly bill (No. 246, Rec. No. 73) entitled "An act to provide for the administration of the State School of Agriculture at St. Lawrence University," and that said bill be amended, reprinted and recommitted to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the Senate bill (No. 63, Int. No. 63) entitled "An act to amend the Membership Corporations Law, relating to the incorporation of boards of trade."

Also, Senate bill (No. 480, Int. No. 428) entitled "An act to amend chapter 414 of the Laws of 1901, entitled 'An act for the incorporation of Der Bayerische National-Verband von Nord-Amerika,'" with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor. 320) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 2 of article 6 of the Constitution, in relation to justices of the Appellate Division of the Supreme Court," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said concurrent resolution to the Secretary of State.

The Assembly returned the Senate bill (No. 261, Assembly reprint No. 1125, Int. No. 249) entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' relative to salaries of deputy superintendent of the almshouse and clerk."

Ordered, That the Clerk transmit said bill to the mayor of the city of Albany for a hearing, pursuant to the provisions of the Constitution.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, MARCH 14, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. H. D. Spaeth.

The journal of yesterday was read and approved.

Mr. McCarren introduced a bill (Int. No. 694) entitled "An act to amend the Greater New York charter, in relation to the presentation of claims against the city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Saxe introduced a bill (Int. No. 695) entitled "An act to amend section 382 of the Code of Civil Procedure, relative to the statute of limitations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 696) entitled "An act to provide for the appointment of condemnation commissioners in certain judicial departments, and defining their powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Frawley introduced a bill (Int. No. 697) entitled "An act to prevent fire insurance companies entering into or maintaining pools, trusts, conspiracies or agreements to control rates of insurance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Taylor introduced a bill (Int. No. 698) entitled "An act to establish a police pension fund for the city of Newburg," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wemple introduced a bill (Int. No. 699) entitled "An act to exempt the city of Schenectady from the provisions of sections 94 and 95 of chapter 473 of the Laws of 1906, relative to the assessment, payment and collection of water rents in cities of the second class and otherwise providing therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hill introduced a bill (Int. No. 700) entitled "An act to amend the State law in relation to the boundary line between the State of New York and the State of Vermont," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Agnew introduced a bill (Int. No. 701) entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tully introduced a concurrent resolution (Int. No. 702) in the words following:

Concurrent resolution of the Senate and Assembly proposing an amendment to section three of article two of the constitution, in relation to the qualification of certain voters.

Section 1. Resolved, (if the assembly concur), that section three of article two of the constitution be amended to read as follows:

§ 3. For the purpose of voting no person shall be deemed to have gained or lost a residence, by reason of his presence or absence, while employed in the service of the United States; nor while engaged in the navigation of waters of this state, or of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse, or other institution wholly or partly supported by public expense or by charity; nor while confined in any public prison. The legislature may, however, provide that an inmate of the New York state soldiers' and sailors' home, who possess the qualification of residence, and who has been an inmate of such home for such a period of time as would have qualified him to vote in the election district in which such home is located if he had resided therein for such period, may vote for officers of the state or of the United States in the election district or districts in which such home is located, but an inmate so voting in such election district shall not vote in any other election district of the state.

§ 2. Resolved (if the assembly concur), that the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and in conformity with section one, article fourteenth of the constitution, be published for three months previous to the time of such election.

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Travis introduced a bill (Int. No. 703) entitled "An act to amend the Tax Law, relative to certain exemptions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Cobb introduced a bill (Int. No. 704) entitled "An act to provide for a police pension fund for the police force of the city of Watertown," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wemple introduced a bill (Int. No. 705) entitled "An act excepting the city of Schenectady from the provisions of section 16 of chapter 473 of the Laws of 1906, relative to salaries of city officials, and providing otherwise therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 706) entitled "An act excepting the city of Schenectady from the provisions of sections 98 to 104, inclusive, of article 6 of chapter 473 of the Laws of 1906, relative to the duties of city engineer and the opening, widening, grading, curbing, paving and otherwise improving the streets and otherwise providing therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Burr (by request) introduced a bill (Int. No. 707) entitled "An act to amend the Greater New York charter, relative to employees of ferries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Ramsperger introduced a bill (Int. No. 708) entitled "An act to amend section 3 of chapter 231 of the Laws of 1876, entitled 'An act to make the office of supervisor, in the county of Erie, a salaried office, and to provide for the appointment and

compensation of other officers of said board,' as amended by chapter 195 of the Laws of 1879, as further amended by chapter 485 of the Laws of 1892, in relation to the officers of the board of supervisors, and as further amended by chapter 487 of the Laws of 1898," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly sent for concurrence the bill (No. 993, Rec. No. 201) entitled "An act in relation to certain grade crossings in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1228, Rec. No. 202) entitled "An act to amend the Highway Law, relative to the amount to be paid by the State to towns which have adopted the money system," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1226, Rec. No. 203) entitled "An act to amend the General Corporation Law, in relation to corporate names," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1223, Rec. No. 204) entitled "An act to amend the Agricultural Law, in relation to the sale at retail of renovated butter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 1227, Rec. No. 205) entitled "An act to amend the Executive Law; in relation to the appointment of commissioners of deeds in other States, Territories and foreign countries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1225, Rec. No. 206) entitled "An act to amend the Executive Law, in relation to the fees of the Secretary of State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 735, Rec. No. 207) entitled "An act to amend chapter 705 of the Laws of 1905, entitled 'An act to pro-

vide for annual reports by and the examination of accounts of counties, cities of the second and third classes and villages having a population of 3,000 or more, the tabulation of comparative statistics as to the cost of maintaining the various branches of government in such municipalities and making an appropriation therefor generally,'” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 720, Int. No. 436), entitled “An act authorizing the city of Buffalo to create a sinking fund with the avails of a sale of certain grade crossing bonds made on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, and from such fund to pay for the work for which said bonds were issued when the same shall be duly ordered, or to redeem said bonds with said fund; and to award other bonds to said fund without advertising.”

Also, the Senate bill (No. 470, Int. No. 417) entitled “An act to amend chapter 472 of the Laws of 1830, entitled ‘An act to incorporate the Canterbury Fire Company,’ and the several acts amendatory thereof, in relation to the purposes of said corporation, and increasing the membership thereof.”

Also, Senate bill (No. 523, Int. No. 456) entitled “An act to amend chapter 63 of the Laws of 1902, entitled ‘An act to incorporate the city of Fulton,’ relating to limitations of actions against the city.”

Also, Senate bill (No. 696, Int. No. 503) entitled “An act to authorize the city of Jamestown to receive contributions for certain purposes, and to determine the manner of collecting the same.”

Also, Senate bill (No. 645, Int. No. 555) entitled “An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village.”

Also, Senate bill (No. 705, Int. No. 595) entitled “An act to create the office of building inspector in the village of White Plains and to provide for the appointment of the same.”

Also, Assembly bill (No. 769, Senate reprint No. 723, Rec. No. 81) entitled “An act to amend the Highway Law, in relation to exempting certain counties from the poll tax.”

Also, Assembly bill (No. 558, Senate reprint No. 726, Rec. No. 48) entitled “An act to authorize the city of Utica to borrow

money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel."

Also, Assembly bill (No. 918, Senate reprint No. 721, Rec. No. 115) entitled "An act to amend the Forest, Fish and Game Law, in relation to powers of the supervisors in certain counties in respect to nets, pounds and other illegal devices."

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Thompson (No. 512, Int. No. 445), entitled "An act to amend chapter 706 of the Laws of 1901, relative to additional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Emerson (No. 612, Int. No. 527), entitled "An act to make the office of county clerk of the county of Fulton a salaried office, and to provide for the conduct of said office," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. G. H. Whitney (No. 764, Rec. No. 126), entitled "An act to amend chapter 594 of the Laws of 1899, entitled 'An act authorizing boards of supervisors to acquire the rights, franchises and property of individuals and corporations exacting toll for the use of turnpikes, plank-roads and bridges,' in relation to bridges over the Hudson river above Waterford," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Lupton (No. 280, Rec. No. 51), entitled "An act to amend the County Law, in relation to authorizing towns to borrow money," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Allds, from the committee on taxation and retrenchment,

to which was referred the Assembly bill introduced by Mr. Ferguson (No. 473, Rec. No. 401), entitled "An act authorizing and requiring the payment of the tax on foreign fire insurance corporations collected and received by the treasurer of the city of Little Falls, N. Y., under section 133 of the Insurance Law to the treasurer of the exempt firemen's association of the city of Little Falls, N. Y.," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Filley (No. 916, Rec. No. 113), entitled "An act to amend chapter 212 of the Laws of 1896, entitled 'An act to provide for the care of court papers, judgment-rolls and other papers and instruments in the Rensselaer county clerk's office,' in relation to salary of custodian," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. G. H. Whitney (No. 732, Rec. No. 125), entitled "An act to regulate, fix and prescribe tolls for motor vehicles traveling upon toll roads and bridges, where such tolls are not otherwise prescribed by law," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 98, Int. No. 98), entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica for the use of the county of Oneida, and to provide means to defray the expenses thereof and to sell the present court house and site and the county clerk's office and site situate in Utica,' as amended by chapter 132 of the Laws of 1905," reported the same to the Senate with amendments.

On motion of Mr. Tully, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on internal affairs of towns and counties.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced

by Mr. Feth (No. 1049, Rec. No. 143), entitled "An act to amend chapter 705 of the Laws of 1901, entitled 'An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office,' generally," reported the same to the Senate with amendments.

On motion of Mr. Tully, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on internal affairs of towns and counties.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Smith (No. 483, Int. No. 419), entitled "An act to provide for the erection and furnishing of a new court house in the city of Hudson for the use of the county of Columbia, and to provide means to defray the expense thereof, and to sell or dispose of the ruins of the former court house situate in Hudson," reported the same for the consideration of the Senate.

Ordered, That said bill be committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Grattan (No. 700, Int. No. 492), entitled "An act to amend chapter 18 of the general laws, known as the County Law, relative to the issue of town obligations," reported in favor of the passage of the same, which report was agreed to, and said committed to the committee of the whole.

Mr. Cordts, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. Davis (No. 528, Int. No. 461), entitled "An act entitled 'An act to provide for the registration of steam and motor boats, engaged in navigating the inland waters of this State,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Saxe, from the committee on military affairs, to which was referred the Senate bill introduced by Mr. Owens (No. 643, Int. No. 553), entitled "An act to amend the military code, in relation to inventories of supplies and furniture for armories in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cordts, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. Cassidy

(No. 633, Int. No. 548), entitled "An act to amend the Navigation Law, in relation to regattas held on certain waters within the jurisdiction of the State," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Ferguson (No. 721, Rec. No. 69), entitled "An act to amend chapter 565 of the Laws of 1895, entitled 'An act to incorporate the city of Little Falls,' relative to the amount of annual tax levy for fire and police fund," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Heacock, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Ferguson (No. 1128, Rec. No. 154), entitled "An act to amend chapter 565 of the Laws of 1895, entitled 'An act to incorporate the city of Little Falls,' relative to salaries of policemen," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Heacock, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Thompson moved that the committee on railroads be discharged from the consideration of Senate bill (No. 412, Int. No. 369), entitled "An act to regulate fares and the transfer of passengers on street surface, elevated and underground railroads in certain cities of the State," and that said bill be amended, reprinted and recommitted to the committee on railroads.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ackroyd moved that the committee on affairs of cities be discharged from the consideration of the Assembly bill (No. 993, Rec. No. 201), entitled "An act in relation to certain grade crossings in the city of Utica," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McCarren moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 684, Int. No. 328), entitled "An act to amend the Greater New York charter, in relation to the fixing of salaries by the board of edu-

cation," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 638, Int. No. 537), entitled "An act to amend chapter 7 of the Laws of 1904, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to the paid police force."

(2) Senate (No. 676, Int. No. 585), entitled "An act to provide for supplying the village of McGrawville with water, to authorize said village to incur indebtedness therefor and to create a board of water commissioners for said village."

(3) Senate (No. 670, Int. No. 579), entitled "An act to amend the Forest, Fish and Game Law, in relation to transportation of certain fish."

(4) Senate (No. 679, Int. No. 588), entitled "An act to amend the Railroad Law, in relation to the consents of local authorities."

(5) Senate (No. 515, Int. No. 448), entitled "An act to regulate the taking of deposits by certain persons, firms and corporations."

(6) Assembly (No. 881, Rec. No. 180), entitled "An act to legalize and validate certain paving bonds of the village of Mamaroneck and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of a tax for the payment of the principal and interest thereof."

(7) Assembly (No. 82, Rec. No. 140), entitled "An act to repeal article 13 of the Labor Law, relative to horseshoers."

(8) Assembly (No. 15, Rec. No. 187), entitled "An act in relation to the price of electric current furnished or sold in the city of Albany, for light, heat, power or other purposes to consumers other than said city and providing a penalty for violation."

After some time spent therein, the President resumed the chair, and Mr. Ramsperger, from said committee, reported in favor

of the passage of the above-named bills, the fifth and sixth-named bills with amendments, which report was agreed to, and said bills ordered to a third reading.

The Assembly returned the Senate bill (No. 661, Int. No. 37) entitled "An act to amend the Code of Civil Procedure, in relation to the disposition of the real property or an interest therein of an infant, lunatic, idiot or habitual drunkard," with a message that they have reconsidered the vote upon the final passage of said bill and have passed the same as amended by the Senate.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, MARCH 15, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Scarlet.

The journal of yesterday was read and approved.

Mr. Armstrong, on behalf of Mr. Tully, introduced a bill (Int. No. 709) entitled "An act to amend chapter 288 of the Laws of 1906, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on affairs of cities.

The Assembly returned the Assembly bill (No. 832, Senate reprint No. 689, Rec. No. 127) entitled "An act to amend the Village Law, in relation to village assessors," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

Also, Senate bill (No. 547, Int. No. 473) entitled "An act to amend chapter 10 of the Laws of 1902, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population.'"

Also, Senate bill (No. 384, Int. No. 341) entitled "An act to legalize the bonds of school district No. 1, of the town of Great Valley, in the county of Cattaraugus, in the State of New York, amounting to the sum of \$15,550, issued for the purpose of defraying the expense for the erection and completion of a school house in said school district."

Also, Senate bill (No. 377, Int. No. 334) entitled "An act to amend chapter 159 of the Laws of 1905, entitled 'An act to incorporate the trustees of the Eastern Star Hall and Home of the State of New York, and their successors under the corporate name of the trustees of the Eastern Star Hall and Home of the State of New York,' in relation to the objects of such corporation."

Also, Senate bill (No. 356, Int. No. 323) entitled "An act to repeal section 75-a of the Forest, Fish and Game Law."

Also, Senate bill (No. 354, Int. No. 321) entitled "An act to legalize and provide for the payment of certain bonds of union free school district No. 3 in the town of Little Valley and Mansfield, in the county of Cattaraugus."

Also, Senate bill (No. 297, Int. No. 274) entitled "An act to amend chapter 366 of the Laws of 1878, entitled 'An act to incorporate the Brooklyn Church Society of the Methodist Episcopal Church,' in relation to the objects of the society, and the qualification and election of its managers."

Also, Senate bill (No. 75, Int. No. 75) entitled "An act to legalize, ratify and confirm the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, N. Y., in establishing sewer district No. 1 in said town and contracting for the construction of a system of sewers, pumping plant and disposal plant in such district," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Senate bill (No. 366, Int. No. 234) entitled "An act to provide for the payment of the claim of Robert E. Jones for furnishing work, labor, services and materials in the repair of the fire alarm system in the fifth ward of the borough of Queens in the city of New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of

the city of New York for a hearing, pursuant to the provisions of the Constitution.

The Assembly returned the Senate bill (No. 557, Int. No. 184) entitled "An act to amend the Greater New York charter, in relation to conferring additional powers and jurisdiction upon the park board and the commissioner of parks for the boroughs of Manhattan and Richmond," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the Constitution.

The Assembly returned the Senate bill (No. 491, Int. No. 437) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' conferring authority upon said city to borrow money temporarily from the banks designated by the common council as depositories in anticipation of the collection of taxes and resources," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Buffalo for a hearing, pursuant to the provisions of the Constitution.

The Assembly returned the Senate bill (No. 634, Int. No. 482) entitled "An act to amend chapter 195 of the Laws of 1906, entitled 'An act to establish and maintain a water department in and for the city of Corning,'" with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Corning for a hearing, pursuant to the provisions of the Constitution.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, MARCH 18, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. F. J. Knapp.

The journal of Friday, March 15th, was read and approved.

The following communication was presented:

To the Senate:

I hereby designate Hon. W. W. Armstrong, Senator from the Forty-sixth district, to preside at the session of the Senate Monday evening, March 18, 1907.

JOHN RAINES,
Temporary Chairman.

Mr. Fuller introduced a bill (Int. No. 710) entitled "An act to amend the Legislative Law, relative to compensation to members of the Legislature, for services in matters to which the State is a party," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Saxe introduced a bill (Int. No. 711) entitled "An act to provide for discontinuing the use by the New York Central and Hudson River railroad, for railroad purposes, of streets, avenues, public parks or places in the borough of Manhattan, in the city of New York, at grade, and to that end to authorize the city of New York to grant certain real property to said railroad company and to acquire certain other real property and certain franchises from said railroad company by purchase or condemnation," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on affairs of cities, retaining its place on the order of third reading.

Mr. Cohalan introduced a bill (Int. No. 712) entitled "An act to amend the Labor Law, relating to safety appliances for scaffolding for the use of employees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Carpenter introduced a bill (Int. No. 713) entitled "An act to amend chapter 518 of the Laws of 1867, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains," passed April 3, 1866, in relation to the powers and duties of village trustees, etc.,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Grattan introduced a bill (Int. No. 714) entitled "An act to amend chapter 734 of the Laws of 1901, entitled 'An act to provide for a board of water commissioners in the city of Watervliet and a proper supply of water for public purposes for said city,' as amended by chapter 79 of the Laws of 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wemple introduced a bill (Int. No. 715) entitled "An act to except the city of Schenectady from the provisions of section 181 of chapter 473 of the Laws of 1906, relative to the salary of police justice, and providing otherwise therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 716) entitled "An act to amend chapter 682 of the Laws of 1892, entitled 'An act in relation to legislation, constituting chapter 8 of the general laws,' as amended by chapter 321 of the Laws of 1906, relative to services of attorneys-at-law in legislative matters," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 717) entitled "An act to change the name of 'Home of the Friendless of Schenectady' to 'Old Ladies' Home of Schenectady,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Heacock introduced a bill (Int. No. 718) entitled "An act to authorize the town of Frankfort, in Herkimer county, to regulate and control the flow of water in Moyer creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Ackroyd introduced a bill (Int. No. 719) entitled "An act to amend section 203 of chapter 20 of the Laws of 1900, entitled 'An act for the protection of the forests, fish and game of the State, constituting chapter 31 of the general laws,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Gates introduced a bill (Int. No. 720) entitled "An act to amend the Consolidated School Law, relative to exemption from taxation of bonds of union free school districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Hinman introduced a bill (Int. No. 721) entitled "An act to amend subdivision 4 of section 221 of the Code of Civil Procedure, in relation to the appointment and compensation of a librarian for the Appellate Division in the Third Judicial Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Hill introduced a bill (Int. No. 722) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter 228 of the Laws of 1901, relating to the repairing of private docks in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Davis introduced a bill (Int. No. 723) entitled "An act to amend section 750 of the Code of Criminal Procedure of the State of New York, in relation to appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Grady introduced a bill (Int. No. 724) entitled "An act to amend the Railroad Law, in relation to the rate of fare," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Page introduced a bill (Int. No. 725) entitled "An act to amend sections 3, 4, 8 and 10 of chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' as amended by chapter 572 of the Laws of 1898, chapter 490 of the Laws of 1900 and chapter 643 of the Laws of 1906, and to repeal chapter 519 of the Laws of 1904," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Grattan introduced a bill (Int. No. 726) entitled "An act

to amend chapter 312 of the Laws of 1898, entitled 'An act increasing the jurisdiction of the City Court of Albany, and relative to a jury list in said court, and regulating the practice therein,' in relation to costs in said court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Emerson introduced a bill (Int. No. 727) entitled "An act to amend the Banking Law, in relation to the lawful money reserve of banks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. McManus introduced a bill (Int. No. 728) entitled "An act to amend chapter 538 of the Laws of 1904, entitled 'An act in relation to the registration and indentification of motor vehicles, and the use of public highways by such vehicles,' providing for the release from custody and furnishing of bail by persons charged with violation of the Motor Vehicle Law, as amended by chapter 128 of the Laws of 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly sent for concurrence the bill (No. 1375, Rec. No. 208) entitled "An act to amend the Code of Civil Procedure, relative to the compensation of deputy sheriffs and constables attending courts in Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1378, Rec. No. 209) entitled "An act to amend the Consolidated School Law, relative to school record certificates required under the Compulsory Education Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill (No. 1374, Rec. No. 210) entitled "An act to amend the Code of Civil Procedure, relating to drawing of trial jurors in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1373, Rec. No. 211) entitled "An act to amend the Code of Civil Procedure, in relation to the qualifica-

tions of trial jurors in Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1268, Rec. No. 212) entitled "An act creating the office of county attorney in and for certain counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 924, Rec. No. 213) entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to examine into the facts concerning the services rendered by Charles A. Phillips as clerk to a coroner of the borough of Brooklyn, city of New York, and to provide for the payment of same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1379, Rec. No. 214) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' in relation to salary of clerks to justices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 638, Rec. No. 215) entitled "An act authorizing and directing the board of estimate and apportionment of the city of New York, in its discretion, to audit and allow, and also authorizing and directing the comptroller of the city of New York to pay to James C. Daly compensation for services rendered to the city of New York as superintendent of sections in the department of docks and ferries of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1377, Rec. No. 216) entitled "An act to amend the Railroad Law, in relation to protection of street railroad employees in the counties of Kings and Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 1333, Rec. No. 217) entitled "An act au-

thorizing the board of supervisors of Chautauqua county to declare the office of county clerk of such county a salaried office and to fix and determine the amount of compensation and regulating the management of such office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1263, Rec. No. 218) entitled "An act in relation to gas and electricity in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1340, Rec. No. 219) entitled "An act authorizing the board of estimate and apportionment of the city of New York to hear, audit, determine and allow the alleged claim of the Narragansett Machine Company for furnishing to the park board of said city goods, wares and merchandise for use in the parks of the city of New York, borough of the Bronx, and to provide payment of such claim," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1259, Rec. No. 220) entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' relating to the filling of vacancies in elective offices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1376, Rec. No. 221) entitled "An act to amend chapter 675 of the Laws of 1906, entitled 'An act to provide for the reconstruction of the west wing of the cofferdam at the outlet of Skaneateles lake, in the county of Onondaga, and making an appropriation therefor,' relative to reconstruction and improvement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1330, Rec. No. 222) entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,' in relation to actions for damages arising from snow and ice upon sidewalks, crosswalks and streets in said village," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 1329, Rec. No. 223) entitled "An act to amend chapter 623 of the Laws of 1901, entitled 'An act to establish a commission for the maintenance and operation of the municipal electric light plant of the village of Green Island, Albany county, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 1331, Rec. No. 224) entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Gates, and by unanimous consent, said bill was substituted for Senate bill (No. 523, Int. No. 456), now on the order of third reading.

Also, the bill (No. 982, Rec. No. 225) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such railroads within such bonded towns, villages or cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1332, Rec. No. 226) entitled "An act to amend chapter 348 of the Laws of 1901, entitled 'An act to provide for sewer systems outside incorporated villages or cities,' in relation to additional amount to be expended," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, the bill (No. 1281, Rec. No. 227) entitled "An act to authorize the city of Jamestown to receive contributions for certain purposes, and to determine the manner of collecting the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1382, Rec. No. 228) entitled "An act to amend chapter 258 of the Laws of 1900, entitled 'An act in relation to the Court of Appeals law library at Rochester,' relative to the salary of librarian," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 539, Rec. No. 229) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against William H. Duggan, formerly a patrolman of the police department of said city, and to reinstate him in said department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1384, Rec. No. 230) entitled "An act to amend the Greater New York charter, in relation to the department of parks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 63, Rec. No. 231) entitled "An act to amend the Forest, Fish and Game Law, in relation to hares and rabbits in certain towns of Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1277, Rec. No. 232) entitled "An act to amend the Agricultural Law, relative to the purchase of adulterated evaporated apples," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 1294, Rec. No. 233) entitled "An act to amend the Penal Code, in relation to carrying, using, etc., certain weapons and the punishment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 98, Rec. No. 234) entitled "An act making contributory negligence in action for negligence causing death an affirmative defense, which must be pleaded and proved by defendant," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1262, Rec. No. 235) entitled "An act to authorize the formation of a park district in the town of Southold, Suffolk county, to acquire lands for park purposes, and to issue bonds therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1381, Rec. No. 236) entitled "An act to amend the Penal Code, in relation to the punishment of children under 16 years of age," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1271, Rec. No. 237) entitled "An act to amend the Railroad Law, in relation to the collection of fare on certain electric surface railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 1275, Rec. No. 238) entitled "An act to amend the Railroad Law, in relation to imposing on certain railroad corporations in cities of the first class, the duty of placing upon cars the name of the operating company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 1385, Rec. No. 239) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to trial jurors in the Municipal Court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1276, Rec. No. 240) entitled "An act to amend the Greater New York charter, in relation to promotions in the police department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 717, Rec. No. 241) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit and allow the claim of the Uvalde Asphalt Company for compensation for work, labor

and services rendered and for materials and supplies furnished to the city of New York at the request, order and direction of the commissioner of public works of the borough of Brooklyn and the president of the borough of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1272, Rec. No. 242) entitled "An act to regulate the taking of deposits by certain persons, firms and corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, the bill (No. 1273, Rec. No. 243) entitled "An act to provide for a commission to investigate the condition of the National Guard of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1288, Rec. No. 244) entitled "An act to amend section 656 of the Penal Code, relating to abandoned animals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

A message from the Assembly was received, in the words following:

IN ASSEMBLY, *March 18, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill (No. 463, Reprint No. 1371, Rec. No. 23) entitled "An act to amend chapter one hundred and thirty-seven of the laws of eighteen hundred and eighty-six, entitled 'An act to incorporate the state executive committee of the Young Men's Christian Association of the state of New York' in relation to trustees and the election thereof."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. C. F. Murphy said bill was recommitted to the committee on charitable and religious societies with instructions to report the same forthwith, amended as follows:

Page 1, line 6, strike out the word "required" and insert the word "acquired".

Said bill as amended was read the third time and passed, having

been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

By order,

A. E. BAXTER,
Clerk.

Mr. Fuller moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Hooker | Saxe |
| Agnew | Cordts | Gates | Knapp | Sohmer |
| Allds | Cullen | Grady | McCarren | Sullivan |
| Armstrong | Davis | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Travis |
| Burr | Fancher | Hasenflug | O'Neil | Tully |
| Carpenter | Foelker | Heacock | Owens | Wemple |
| Cassidy | Franchot | Hill | Page | White |
| Cobb | Frawley | Hinman | Ramsperger | Wilcox |

45

Said bill, as amended, was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | Hooker | Saxe |
| Agnew | Cordts | Gates | Knapp | Sohmer |
| Allds | Cullen | Grady | McCarren | Sullivan |
| Armstrong | Davis | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Travis |
| Burr | Fancher | Hasenflug | O'Neil | Tully |
| Carpenter | Foelker | Heacock | Owens | Wemple |
| Cassidy | Franchot | Hill | Page | White |
| Cobb | Frawley | Hinman | Ramsperger | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 704, Int.

No. 594) entitled "An act to amend an act to organize and establish a police department for the village of White Plains, county of Westchester and State of New York, being chapter 306 of the Laws of 1904 as amended by chapter 165 of the Laws of 1906."

Also, Senate bill (No. 638, Int. No. 557) entitled "An act to amend chapter 7 of the Laws of 1904, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to the paid police force."

Also, Senate bill (No. 676, Int. No. 585) entitled "An act to provide for supplying the village of McGrawville with water, to authorize said village to incur indebtedness therefor, and to create a board of water commissioners for said village."

Also, Senate bill (No. 670, Int. No. 579) entitled "An act to amend the Forest, Fish and Game Law, in relation to transportation of certain fish."

Also, Senate bill (No. 679, Int. No. 588) entitled "An act to amend the Railroad Law, in relation to the consents of local authorities."

The Assembly bill (No. 1331, Rec. No. 224) entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the negative, a majority of all the Senators elected not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|---------|----------|---------|--------|----|
| Ackroyd | Cassidy | Franchot | Heacock | Wemple | |
| Armstrong | Cordts | Gates | Taylor | White | |
| Burr | Emerson | Grattan | Tully | Wilcox | |
| Carpenter | Fancher | | | | 17 |

FOR THE NEGATIVE.

| | | | | | |
|---------|-----------|----------|----------|------------|----|
| Agnew | Fuller | Hinman | McManus | Ramsperger | |
| Cohalan | Grady | Hooker | Mullaney | Saxe | |
| Cullen | Harte | Knapp | Owens | Sohmer | |
| Davis | Hasenflug | McCarren | Page | Sullivan | |
| Foelker | Hill | | | | 22 |

Mr. Gates moved to reconsider the vote by which said bill was lost, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly bill (No. 280, Rec. No. 51) entitled "An act to amend the County Law, in relation to authorizing towns to borrow money," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative; a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Sullivan |
| Agnew | Cullen | Gilchrist | McManus | Taylor |
| Armstrong | Davis | Grady | Mullaney | Thompson |
| Boyce | Dunn | Grattan | O'Neil | Travis |
| Burr | Emerson | Harte | Owens | Tully |
| Carpenter | Fancher | Hasenflug | Page | Wemple |
| Cassidy | Foelker | Heacock | Ramaperger | White |
| Cobb | Franchot | Hill | Sohmer | Wilcox |
| Cohalan | Fuller | Hooker | | |

43

FOR THE NEGATIVE.

Hinman

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 558, Senate reprint No. 726, Rec. No. 48) entitled "An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Grady | Knapp | Saxe |
| Agnew | Cullen | Grattan | McCarren | Sohmer |
| Armstrong | Davis | Harte | McManus | Sullivan |
| Boyce | Emerson | Hasenflug | Mullaney | Travis |

| | | | | |
|-----------|----------|---------|------------|--------|
| Burr | Fancher | Heacock | O'Neil | Tully |
| Carpenter | Foelker | Hill | Owens | Wemple |
| Cassidy | Franchot | Hinman | Page | White |
| Cobb | Fuller | Hooker | Ramsperger | Wilcox |
| Cohalan | Gates | | | |

42

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 470, Int. No. 417) entitled "An act to amend chapter 272 of the Laws of 1830, entitled 'An act to incorporate the Canterbury Fire Company,' and the several acts amendatory thereof, in relation to the purposes of said corporation and increasing the membership thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Grady | McCarren | Sohmer |
| Agnew | Cullen | Grattan | McManus | Sullivan |
| Armstrong | Davis | Harte | Mullaney | Taylor |
| Boyce | Emerson | Hasenflug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cohalan | Gates | Knapp | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 918, Senate reprint No. 721, Rec. No. 115) entitled "An act to amend the Forest, Fish and Game Law, in relation to powers of the supervisors in certain counties in respect to nets, pounds and other illegal devices," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Grattan | McCarren | Sohmer |
| Agnew | Davis | Harte | McManus | Sullivan |
| Armstrong | Emerson | Hasenflug | Mullaney | Taylor |
| Burr | Fancher | Heacock | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Grady | | | |

42

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 705, Int. No. 595) entitled "An act to create the office of building inspector in the village of White Plains and to provide for the appointment of the same," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Grattan | McCarren | Sohmer |
| Agnew | Davis | Harte | McManus | Sullivan |
| Armstrong | Emerson | Hasenflug | Mullaney | Taylor |
| Burr | Fancher | Heacock | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Grady | | | |

42

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1128, Rec. No. 154) entitled "An act to amend chapter 565 of the Laws of 1895, entitled 'An act to incorporate the city of Little Falls,' relative to salaries of policemen," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Grattan | McCarren | Sohmer |
| Agnew | Davis | Harte | McManus | Sullivan |
| Armstrong | Emerson | Hasenflug | Mullaney | Taylor |
| Burr | Fancher | Heacock | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Grady | | | |

42

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 721, Rec. No. 69) entitled "An act to amend chapter 565 of the Laws of 1895, entitled 'An act to incorporate the city of Little Falls,' relative to the amount of annual tax levy for fire and police fund," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Grady | McCarren | Sohmer |
| Agnew | Cullen | Grattan | McManus | Sullivan |
| Armstrong | Davis | Harte | Mullaney | Taylor |
| Boyce | Emerson | Hasenflug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cohalan | Gates | Knapp | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 15, Rec. No. 187) entitled "An act in relation to the price of electric current furnished or sold in the city of Albany, for light, heat, power or other purposes to consumers other than said city and providing a penalty for violation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Hooker | Sohmer |
| Agnew | Davis | Grady | Knapp | Sullivan |
| Allds | Emerson | Grattan | Mullaney | Taylor |
| Armstrong | Fancher | Harte | O'Neil | Travis |
| Burr | Foelker | Hasenflug | Owens | Tully |
| Carpenter | Franchot | Heacock | Page | Wemple |
| Cohalan | Frawley | Hill | Ramsperger | Wilcox |
| Cordts | Fuller | Hinman | Saxe | |

39

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 82, Rec. No. 140) entitled "An act to repeal article 13 of the Labor Law, relative to horseshoers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Grady | McCarren | Sohmer |
| Agnew | Cullen | Grattan | McManus | Sullivan |
| Armstrong | Davis | Harte | Mullaney | Taylor |
| Boyce | Emerson | Hasenflug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cohalan | Gates | Knapp | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 720, Int. No. 436) entitled "An act authorizing the city of Buffalo to create a sinking fund with the avails of a sale of certain grade crossing bonds made on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, and from such fund to pay for the work for which said bonds were issued when the same shall be duly ordered, or to redeem said bonds with said fund; and to award other bonds to said fund without advertising," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | Knapp | Sohmer |
| Agnew | Cullen | Grady | McCarren | Sullivan |
| Armstrong | Davis | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Travis |
| Burr | Fancher | Hasenflug | O'Neil | Tully |
| Carpenter | Foelker | Heacock | Owens | Wemple |
| Cassidy | Franchot | Hill | Page | White |
| Cobb | Fuller | Hinman | Ramsperger | Wilcox |
| Cohalan | Gates | Hooker | Saxe | 44 |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 645, Int. No. 555) entitled "An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McCarren | Sohmer |
| Agnew | Cullen | Harte | McManus | Sullivan |
| Armstrong | Emerson | Hasenflug | Mullaney | Taylor |
| Boyce | Fancher | Heacock | O'Neil | Travis |
| Burr | Foelker | Hill | Owens | Tully |
| Carpenter | Franchot | Hinman | Page | Wemple |
| Cassidy | Fuller | Hooker | Ramsperger | White |
| Cobb | Gates | Knapp | Saxe | Wilcox |
| Cohalan | Grady | | | 42 |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 676, Int. No. 585) entitled "An act to provide for supplying the village of McGrawville with water, to authorize said village to incur indebtedness therefor and to create

a board of water commissioners for said village," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | Knapp | Sohmer |
| Agnew | Cordts | Grady | McCarren | Sullivan |
| Allds | Cullen | Grattan | McManus | Taylor |
| Armstrong | Davis | Harte | Mullaney | Travis |
| Boyce | Emerson | Hasenflug | O'Neil | Tully |
| Burr | Fancher | Heacock | Owens | Wemple |
| Carpenter | Foelker | Hill | Page | White |
| Cassidy | Franchot | Hinman | Ramsperger | Wilcox |
| Cobb | Fuller | Hooker | Saxe | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 679, Int. No. 588)-entitled "An act to amend the Railroad Law, in relation to the consents of local authorities," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Franchot | Hasenflug | Mullaney | Sullivan |
| Armstrong | Frawley | Hinman | Owens | Taylor |
| Cohalan | Fuller | Hooker | Page | Travis |
| Cullen | Grady | Knapp | Saxe | Tully |
| Fancher | Grattan | McCarren | Sohmer | Wilcox |
| Foelker | Harte | McManus | | |

28

FOR THE NEGATIVE.

| | | | | | |
|-------|------|---------|---------|--------|---|
| Allds | Burr | Cassidy | Heacock | Wemple | 5 |
|-------|------|---------|---------|--------|---|

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 696, Int. No. 503) entitled "An act to authorize the city of Jamestown to receive contributions for certain

purposes, and to determine the manner of collecting the same," having been announced for third reading, Mr. Fancher moved that said bill be recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate bill (No. 706, Int. No. 596) entitled "An act to amend an act entitled 'An act to provide for supplying the village of White Plains with water and authorizing the issue of bonds therefor and to create a board of water commissioners for said village,' being chapter 769 of the Laws of 1896," having been announced for third reading, Mr. Carpenter moved that said bill be recommitted to the committee on affairs of villages, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Foelker moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 226, Int. No. 217) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of 1,000,000 inhabitants' generally, and the acts amendatory thereof," that said bill be committed to the committee on the judiciary, and upon being reported from said committee, be recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McCarren moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 253, Int. No. 241) entitled "An act to further amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,' as heretofore amended, in relation to the board of rapid transit railroad commissioners, in cities of the first class divided into boroughs," that said bill be committed to the committee on the judiciary, and upon being reported from said committee, be recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Grady moved that the committee on affairs of cities be

discharged from the consideration of Senate bill (No. 128, Int. No. 1) entitled "An act to amend the Greater New York charter by inserting therein a new chapter creating a board of control of public utilities in the city of New York, and defining the purpose, duties and powers of such board," and that said bill be committed to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Saxe moved that the committee on codes be discharged from the consideration of Senate bill (No. 831, Int. No. 695) entitled "An act to amend section 382 of the Code of Civil Procedure, relative to the Statute of Limitations," and that said bill be amended, reprinted and recommitted to the committee on codes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Leave of absence was granted to Messrs. Dunn and Gilchrist until Wednesday and to Mr. Allds until Thursday.

Mr. Davis offered a resolution in the words following:

Whereas, It appears from a letter, published in the daily press of March 17, 1907, signed by W. S. Jackson, Attorney-General, and addressed to Hon. W. W. Armstrong, that there is a statement in the office of the Comptroller of the State of New York prepared by him, showing the amounts of money spent by various State departments for special counsel during the last ten years, and that there is also on file in said office a statement upon the same subject, a copy of which was sent by a former Comptroller of the State of New York to the late Speaker Nixon at his request.

Therefore resolved, That the Comptroller of the State of New York be and he hereby is requested to transmit to the Senate, with all convenient speed, copies of said statements herein referred to.

Ordered, That said resolution be laid over, under the rules.

Mr. Davis offered a resolution in the words following:

Whereas, A letter published in the daily press of March 17, 1907, signed by W. S. Jackson, Attorney-General, and addressed to Hon. W. W. Armstrong, contains the following paragraph:

"I might also suggest the propriety of a legislative investigation for the purpose of ascertaining what percentage of those on the payrolls of that department actually are rendering daily service and whether the State Capitol has been made an asylum

for Albany county ward workers and political henchmen generally."

Resolved, That the Attorney-General of the State of New York be and he hereby is requested to transmit to the Senate, with all convenient speed, the name or names of any person or persons upon the payroll of the Capitol or State House not rendering service, together with any or all information in his possession, which would lead any one to believe that the State Capitol has been made an "asylum for Albany county ward workers and political henchmen generally."

Ordered, That said resolution be laid over, under the rules.

Mr. Tully moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, MARCH 19, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. H. Reller.

The journal of yesterday was read and approved.

Mr. Fuller introduced a bill (Int. No. 729) entitled "An act to amend chapter 415 of the Laws of 1897, as amended by chapter 255 of the Laws of 1903 and amended by chapter 490 of the Laws of 1906, known as the Labor Law, in relation to the hours of employment of minors in mercantile and other establishments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Owens introduced a bill (Int. No. 730) entitled "An act to amend the Greater New York charter, in relation to the powers and duties of the Tenement-house Commissioner, and to the detail of police officers to the tenement-house department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grattan introduced a bill (Int. No. 731) entitled "An

act to repeal section 4 of chapter 490 of the Laws of 1888, entitled 'An act for the incorporation of societies for the prevention of cruelty to animals and to amend sections 656 and 668 of the Penal Code, relating to cruelty to animals,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gates introduced a bill (Int. No. 732) entitled "An act to provide for the protection of the public health by the removal of a ledge of rock in Chittenango creek at Bridgeport, Madison county, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Fancher introduced a bill (Int. No. 733) entitled "An act to amend the Forest, Fish and Game Law, in relation to certain penalties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Harte introduced a bill (Int. No. 734) entitled "An act to amend the Greater New York charter, relative to granting of authority to the commissioners of the sinking fund, subject to the approval of the board of estimate and apportionment to exchange lands of the city of New York no longer required for a public purpose, for the lands of private owners needed for a public purpose lying within the same borough," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 1387, Rec. No. 245) entitled "An act to amend the Greater New York charter, relative to the collection of assessments for local improvements in the borough of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 68, Rec. No. 246) entitled "An act to incorporate the National Board of the Young Women's Christian Associations of the United States of America," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1155, Rec. No. 247) entitled "An act authorizing the city of Lockport to raise money to pay and satisfy

a final judgment, and to settle a cause of action existing against the city of Lockport, the result of personal injuries sustained by William Thorman on account of the negligence of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1267, Rec. No. 248) entitled "An act to amend the Public Health Law, relative to the powers and duties of Commissioner," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, the bill (No. 1322, Rec. No. 249) entitled "An act regulating and restraining the practice of midwifery in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1400, Rec. No. 250) entitled "An act to provide that assessments due and payable after January 1, 1907, pursuant to chapter 244 of the Laws of 1878 and the acts amendatory thereof, for laying out and improving Prospect Park in the city of Brooklyn shall be paid by the city of New York, and providing for refunding of any such assessments heretofore paid," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1193, Rec. No. 251) entitled "An act in relation to school district No. 6 in the town of Lyons in Wayne county and repealing various acts relating specially thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill (No. 1389, Rec. No. 252) entitled "An act to amend the Greater New York charter, relative to punishment of persons causing fire in stovepipes, chimney or flue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1338, Rec. No. 253) entitled "An act authorizing the board of estimate and apportionment of the city of

New York to reconsider any determination or decision heretofore made by it relative to the proportion of cost and expense to be borne by the said city for the opening of avenue "D" from Flatbush avenue to Rogers avenue, in the borough of Brooklyn, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1221, Rec. No. 254) entitled "An act to provide for supplying the village of McGrawville with water, to authorize said village to incur indebtedness therefor and to create a board of water commissioners for said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 1390, Rec. No. 255) entitled "An act to amend the Greater New York charter, relative to the salaries of the justices of the Municipal Court of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1078, Rec. No. 256) entitled "An act to authorize the city of Binghamton to expend a sum of money, not exceeding \$70,000, for the improvement and regulation of the flow of the Chenango river at the city of Binghamton, N. Y., and to issue bonds therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 948, Rec. No. 257) entitled "An act empowering the comptroller of the city of New York to refund to the Saint Paul's German Evangelical Reformed Church or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 685, Rec. No. 258) entitled "An act empowering the comptroller of the city of New York to vacate and cancel a certain assessment for public improvements upon the

real property of Saint Paul's German Evangelican Reformed Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 493, Rec. No. 259) entitled "An act to amend chapter 451 of the Laws of 1900, entitled 'An act authorizing the establishment of water districts in towns,' in relation to the procedure for creating such districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1242, Rec. No. 260) entitled "An act to legalize, ratify and confirm the acts and proceedings of the board of trustees of the village of Port Chester, in the county of Westchester, in the building and constructing of drains in King street, Poningo street, Clark street, Parker street, Maple place, Seymour road, Bush avenue and Bulkley avenue in said village, and to legalize and confirm the bonds issued or to be issued for the payment of the expense of doing said work," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1243, Rec. No. 261) entitled "An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 1197, Rec. No. 262) entitled "An act to legalize, ratify and confirm an agreement between the United Traction Company, a domestic corporation, and the county of Albany, relative to the discontinuance of certain toll charges by said company, on certain lands owned by said company and used as a turnpike, and providing for the repair, improvement and maintenance thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 931, Rec. No. 263) entitled "An act to amend the Village Law, relative to time when assessment-roll may

be inspected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 1214, Rec. No. 264) entitled "An act to legalize the bonds of union free school district No. 7 of the town of Corinth, Saratoga county, N. Y., in the amount of \$20,000, sold for the purpose of defraying the expense of building two new schoolhouses in said district; and to provide for the payment of said bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the bill (No. 108, Assembly reprint 1336, Int. No. 106) entitled "An act to authorize the justices of the Appellate Division of the Supreme Court in the second judicial department to appoint a case and consultation clerk, and to provide for his compensation," with a message that they have concurred in the passage of the same, with the following amendment:

Page 1, line 8, between the words "the" and "compensation" insert the word "annual".

Mr. McCarren moved that the Senate concur in said amendment:

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill as amended, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Mullaney | Sullivan |
| Agnew | Davis | Grattan | O'Neil | Taylor |
| Armstrong | Emerson | Harte | Owens | Thompson |
| Boyce | Fancher | Hasenflug | Page | Travis |
| Burr | Foelker | Hill | Ramsperger | Tully |
| Carpenter | Franchot | Hinman | Saxe | Wemple |
| Cassidy | Frawley | Hooker | Smith | White |
| Cobb | Fuller | Knapp | Sohmer | Wilcox |
| Cohalan | | | | |

41

Ordered, That the Clerk return said bill to the Assembly, with a

message that the Senate has concurred in the passage of the same, as amended.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 781, Int. No. 59), entitled "An act to amend the County Law, relative to the appointment of assistant district attorneys in the county of Queens."

Also, Senate bill (No. 780, Int. No. 391) entitled "An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' relative to revising several sections of said charter."

Also, Senate bill (No. 783, Int. No. 457) entitled "An act to amend the State Charities Law, in relation to the visitations and reports of managers of State charitable institutions."

Mr. O'Neil, from the committee on agriculture, to which was referred the Senate bill introduced by Mr. Cobb (No. 522, Int. No. 455), entitled "An act to amend an act entitled 'An act in relation to agriculture constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' in relation to prosecutions for penalties," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. O'Neil, from the committee on agriculture, to which was referred the Senate bill introduced by Mr. Cobb (No. 713, Int. No. 603), entitled "An act to amend the Agricultural Law, in relation to the suppression of infectious and contagious diseases of domestic animals," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. O'Neil, from the committee on agriculture, to which was referred the Senate bill introduced by Mr. Cobb (No. 597, Int. No. 516), entitled "An act to amend an act, entitled 'An act in relation to agriculture, constituting articles 1, 2, 4 and 5 of chapter 33 of the general laws,' in relation to the powers and duties of the Commissioner of Agriculture," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Senate bill (No. 783, Int. No. 457) entitled "An act to amend the State Charities Law, in relation to the visitations and

reports of managers of State charitable institutions," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Sullivan |
| Agnew | Cullen | Grattan | Mullaney | Taylor |
| Armstrong | Davis | Harte | O'Neil | Thompson |
| Boyce | Fancher | Hasenfug | Owens | Travis |
| Burr | Foelker | Hill | Page | Tully |
| Carpenter | Franchot | Hinman | Ramsperger | Wemple |
| Cassidy | Frawley | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Sohmer | Wilcox |

40

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 670, Int. No. 579) entitled "An act to amend the Forest, Fish and Game Law, in relation to transportation of certain fish," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Sullivan |
| Agnew | Cullen | Grattan | Mullaney | Taylor |
| Armstrong | Davis | Harte | O'Neil | Thompson |
| Boyce | Fancher | Hasenfug | Owens | Travis |
| Burr | Foelker | Hill | Page | Tully |
| Carpenter | Franchot | Hinman | Ramsperger | Wemple |
| Cassidy | Frawley | Hooker | Saxe | White |
| Cobb | Fuller | Knapp | Sohmer | Wilcox |

40

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 780, Int. No. 391) entitled "An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' relative to revising several sections of said charter," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|--------|
| Ackroyd | Cullen | Gates | Knapp | Sohmer |
| Agnew | Davis | Grattan | McCarren | Taylor |
| Boyce | Fancher | Harte | O'Neil | Travis |
| Burr | Foelker | Hasenflug | Owens | Tully |
| Carpenter | Franchot | Hill | Page | Wemple |
| Cassidy | Frawley | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |

35

FOR THE NEGATIVE.

Armstrong

1

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 781, Int. No. 59) entitled "An act to amend the County Law, relative to the appointment of assistant district attorneys in the county of Queens," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|--------|
| Ackroyd | Cordts | Gates | Knapp | Sohmer |
| Agnew | Cullen | Grattan | McCarren | Taylor |
| Armstrong | Davis | Harte | Mullaney | Travis |
| Boyce | Fancher | Hasenflug | O'Neil | Tully |
| Burr | Foelker | Hill | Owens | Wemple |
| Carpenter | Franchot | Hinman | Ramsperger | White |
| Cassidy | Frawley | Hooker | Saxe | Wilcox |

36

FOR THE NEGATIVE.

Fuller

1

Ordered; That the Clerk deliver said bill to the Assembly and request their concurrence therein.

Mr. McCall moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 666, Int.

No. 574) entitled "An act to amend the Greater New York charter, relating to inferior courts of criminal jurisdiction," and that said bill be amended, the title amended to read as follows: "An act to amend the Greater New York charter, relating to inferior courts of criminal jurisdiction and providing for the establishment and maintenance of a night magistrates court," and that same be reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Assembly (No. 552, Senate reprint No. 824, Rec. No. 44), entitled "An act to amend the Insurance Law, relative to the kinds of insurance that may be made."

(2) Senate (No. 786, Int. No. 44), entitled "An act in relation to illuminating gas in the city of Albany and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation."

(3) Senate (No. 789, Int. No. 551), entitled "An act to amend section 881 of the Code of Civil Procedure, relative to the reading in evidence of the deposition of a party, now deceased, in an action subsequently brought by decedent's executor or administrator."

(4) Senate (No. 790, Int. No. 556), entitled "An act to amend the Code of Civil Procedure, in relation to appeals from orders."

(5) Senate (No. 612, Int. No. 527), entitled "An act to make the office of the county clerk of the county of Fulton a salaried office, and to provide for the conduct of said office."

(6) Senate (No. 828, Int. No. 548), entitled "An act to amend the Navigation Law, in relation to regattas held on certain waters within the jurisdiction of the State."

(7) Senate (No. 643, Int. No. 553), entitled "An act to amend the Military Code, in relation to inventories of supplies and furniture for armories in the city of New York."

(8) Assembly (No. 473, Rec. No. 101), entitled "An act authorizing and requiring the payment of the tax on foreign fire in-

insurance corporations collected and received by the treasurer of the city of Little Falls, N. Y., under section 133 of the Insurance Law to the treasurer of the Exempt Firemen's Association of the city of Little Falls, N. Y."

(9) Assembly (No. 916, Rec. No. 113), entitled "An act to amend chapter 212 of the Laws of 1896, entitled 'An act to provide for the care of court papers, judgment-rolls and other papers and instruments in the Rensselaer county clerk's office,' in relation to salary of custodian."

(10) Assembly (No. 171, Rec. No. 63), entitled "An act to amend chapter 117 of the Laws of 1897, entitled 'An act to make the office of a sheriff of Washington county a salaried office, and regulating the management of said office,' in relation to the salary of under sheriff."

After some time spent therein, the President resumed the chair, and Mr. Davis, from said committee, reported in favor of the passage of the above-named bills, the first and third-named bills with amendments, which report was agreed to, and said bills ordered to a third reading.

The Assembly returned the Senate bill (No. 288, Int. No. 89) entitled "An act to amend the Greater New York charter by providing for an appropriation for the repair and for the maintenance of the soldiers' and sailors' monument in the borough of Manhattan," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 77, Int. No. 77) entitled "An act to authorize the board of estimate and apportionment of the city of New York, to hear, determine, audit and allow the alleged claim of John W. Carpenter for services alleged to have been rendered between the first day of January, 1900, and the first day of October, 1900, inclusive, as clerk of the Municipal Court of said city in the third district of the borough of Brooklyn," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of

the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 82, Int. No. 82) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into the claim of the Donlon Contracting Company against the city of New York for cleaning the brick sewers of the borough of Brooklyn in the city of New York, and to provide for the payment thereof," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 286, Int. No. 272) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit, and allow the claims of James T. Ellett and Frank Miller, for compensation for services rendered as secretary and watchman, respectively, to the Richmond county park commissioners," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 451, Int. No. 397) entitled "An act to provide for the payment of the claim of Henry Yonge and Thomas F. Donnelly for legal services performed by them in the matter of the investigation conducted before Hon. Edward M. Grout, comptroller of New York city, pursuant to section 149 of the New York city charter, as to the justness of certain claims presented by the New York Edison Company for supplying electric light to the public buildings in the boroughs of Manhattan and the Bronx and also lighting the streets in the same boroughs, from the 1st day of January, 1903, to the 10th day of March, 1904, also to the justness of certain claims presented by the Consolidated Gas Company for supplying gas, lamp lighting and gas light to public buildings in the borough of Manhattan from the 1st day of January, 1903, to the 15th day

of March, 1904," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 561, Int. No. 256) entitled "An act to amend section 1 of chapter 438 of the Laws of 1897, in relation to the office of the district attorney of the county of Kings."

Also, Senate bill (No. 185, Int. No. 178) entitled "An act to amend subdivision 4 of section 1103 of the Code of Civil Procedure as to the minutes of the drawings of jurors and the custody thereof."

Also, Senate bill (No. 566, Int. No. 288) entitled "An act to amend section 523 of the Code of Criminal Procedure, relative to service of notice of appeal when judgment is of death," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Assembly bill (No. 558, Senate re-print No. 726, Rec. No. 48) entitled "An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, MARCH 20, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. P. O'Connor.

The journal of yesterday was read and approved.

Mr. Fuller introduced a bill (Int. No. 735) entitled "An act

authorizing the Supreme Court to grant leave to the Reformed Protestant Dutch Church of Gravesend, in the borough of Brooklyn, city of New York, to convey without consideration its real property known as the Woodlawn chapel property to the Woodlawn Reformed Church in said borough of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Foelker introduced a bill (Int. No. 736) entitled "An act in relation to the County Court of Kings county and the appointment of a chief clerk and deputies and assistants therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Harte introduced a bill (Int. No. 737) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William W. Bryan for damages arising from the sale by the State Comptroller of the north half of lot No. 7, great lot No. 7, 17th allotment, Kayaderosseras patent, for the alleged non-payment of the taxes of 1896, town of Greenfield, Saratoga county, at tax sale of 1900, alleged to have been sustained by him, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cobb (on behalf of Mr. Raines) introduced a bill (Int. No. 738) entitled "An act to amend the Election Law, in relation to independent nominations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cobb introduced a bill (Int. No. 739) entitled "An act to amend chapter 834 of the Laws of 1869, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson,' generally," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on affairs of villages, retaining its place on the order of third reading.

Mr. Page introduced a bill (Int. No. 740) entitled "An act to

authorize the commissioners of the sinking fund of the city of New York to refund certain taxes upon property in the city of New York owned by the Harlem Presbyterian Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Saxe introduced a bill (Int. No. 741) entitled "An act to provide for the revision of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Armstrong, from the committee on finance (Messrs. Hill, Fuller and Mullaney dissenting), introduced a bill (Int. No. 742) entitled "An act to repeal chapter 200 of the Laws of 1904, entitled 'An act relating to the terms of office of consulting engineers, appointed pursuant to chapter 147 of the Laws of 1903,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Also, a bill (Int. No. 743) entitled "An act to amend chapter 338 of the Laws of 1894, entitled 'An act relating to canals, constituting chapter 13 of the general laws,' in relation to the general powers and duties of the Superintendent of Public Works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Also, a bill (Int. No. 744) entitled "An act to amend chapter 147 of the Laws of 1903, entitled 'An act making provision for issuing bonds to the amount of not to exceed \$101,000,000 for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year 1903,' relative to the advisory board of consulting engineers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Armstrong moved that the said three bills (Ints. Nos. 742, 743 and 744) be recommitted to the committee on finance, retaining place in the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, introduced a bill (Int. No. 745) entitled "An act to amend the Greater New

York charter, in relation to the fixing of salaries of members of the supervising and teaching staff of the public schools of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

The committee also submitted, in connection with said bill, the following statement:

The committee on affairs of cities begs leave to report that in its opinion the provisions of the Greater New York charter in relation to the salaries of the members of the supervising and teaching staff of the public schools of the city of New York, need revision. The committee believes that the board of education of the city of New York is subject to just criticism for its failure to justly and equitably compensate a numerous portion of the teaching staff of the public schools of that city; nor is it an answer to say that it did not have the necessary money, for the board of education has never, to the knowledge of the committee, offered any suggestion to the Legislature as to the need of more funds to properly conduct the schools and fairly compensate the teachers.

On the other hand, the committee deems it just to say that the board of education has undoubtedly been hampered in its work by the provisions of the so-called Davis law, in that the said Davis law contains schedules regulating to a considerable extent the salaries to be paid the teachers. The committee does not expect that it can satisfy the demands of all the teachers, nor that it can offer a bill which will in all respects meet its own views from a theoretical standpoint, but it respectfully submits to the Senate a measure which it believes to be a great step in the right direction in that it gives a greater measure of home rule and a fuller and fairer opportunity to the board of education to regulate the conduct of its business, and on the other hand lays down certain fundamental provisions which it regards as essential in the public interest.

The bill provides:

1. That the board of education of New York city shall have the power to fix salaries of all members of the supervising and teaching staff. This is the present law restricted by the requirements of certain minimum salaries and by provisions for definite annual increases.

2. That in fixing these salaries, the board of education shall take into consideration (a) merit; (b) grade of class taught; (c) sex of class taught; (d) order of school (order refers to size of school); (e) sex of school. This allows wide scope in the

establishment of schedules giving opportunity to recognize ability and service in responsible positions, and allowing such division into groups that the amount of money available, namely, four mills on each dollar of taxable property, can be economically and fairly administered with justice to all according to service rendered.

3. That schedules shall be uniform for the various classes and grades throughout all boroughs. This is the present law.

4. That salaries of principals and assistant principals shall be greater than the salaries of their subordinates. This is new and provides for the recognition of the position of those in authority.

5. That there shall be no discrimination in salary on account of the sex of the incumbent of any positions. This is new and allows the chief claim of the women teachers, namely, the positions shall carry a certain salary without discrimination on account of the sex of the incumbent.

6. That no salary shall be reduced. This protects all in their present salaries and is a part of the present law.

7. That increases after the fifth and ninth year shall be granted only after inspection and investigation of the teachers work by the board of superintendents. At present eight years and twelve years.

8. That maximum salaries in the various schedules shall be reached in at least twelve years. At present the maximum for most teachers is reached in seventeen years. The reduction of time seems desirable in order that annual increases may be such as to keep desirable men and women in the service, by granting increases so as to keep pace with increased value of the work of the teacher.

9. That the tax rate for the general school fund of New York city shall not be less than four mills. This restores what was once granted for this purpose. When the change was made from four mills to three mills, the supposition was that 100 per cent. assessments in the city would give sufficient funds, but it seems impossible to secure 100 per cent. assessment, and the present rate is nearer 80 per cent. than 100 per cent. Three mills on 80 per cent. assessment is much below the old four mills on 70 per cent. assessment.

10. That at least 90 per cent. of the general fund shall be set aside for the salaries of the members of the supervising and teachers force of the regular day schools. This seems necessary in order to prevent diversion of too much of the fund to evening schools, free evening lectures, playgrounds, vacation schools, recreation centers, etc., and makes it possible to make accurate estimates of the fund available for the regular school purposes.

the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 82, Int. No. 82) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into the claim of the Donlon Contracting Company against the city of New York for cleaning the brick sewers of the borough of Brooklyn in the city of New York, and to provide for the payment thereof," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

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Ordered, That the Clerk deliver said bills to the Governor.

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Ordered, That the Clerk return said bill to the Assembly.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, MARCH 20, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. P. O'Connor.

The journal of yesterday was read and approved.

Mr. Fuller introduced a bill (Int. No. 735) entitled "An act

authorizing the Supreme Court to grant leave to the Reformed Protestant Dutch Church of Gravesend, in the borough of Brooklyn, city of New York, to convey without consideration its real property known as the Woodlawn chapel property to the Woodlawn Reformed Church in said borough of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

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Mr. Harte introduced a bill (Int. No. 737) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William W. Bryan for damages arising from the sale by the State Comptroller of the north half of lot No. 7, great lot No. 7, 17th allotment, Kayaderoseras patent, for the alleged non-payment of the taxes of 1896, town of Greenfield, Saratoga county, at tax sale of 1900, alleged to have been sustained by him, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

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Mr. Cobb introduced a bill (Int. No. 739) entitled "An act to amend chapter 834 of the Laws of 1869, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson,' generally," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on affairs of villages, retaining its place on the order of third reading.

Mr. Page introduced a bill (Int. No. 740) entitled "An act to

authorize the commissioners of the sinking fund of the city of New York to refund certain taxes upon property in the city of New York owned by the Harlem Presbyterian Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Saxe introduced a bill (Int. No. 741) entitled "An act to provide for the revision of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Armstrong, from the committee on finance (Messrs. Hill, Fuller and Mullaney dissenting), introduced a bill (Int. No. 742) entitled "An act to repeal chapter 200 of the Laws of 1904, entitled 'An act relating to the terms of office of consulting engineers, appointed pursuant to chapter 147 of the Laws of 1903,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Also, a bill (Int. No. 743) entitled "An act to amend chapter 338 of the Laws of 1894, entitled 'An act relating to canals, constituting chapter 13 of the general laws,' in relation to the general powers and duties of the Superintendent of Public Works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Also, a bill (Int. No. 744) entitled "An act to amend chapter 147 of the Laws of 1903, entitled 'An act making provision for issuing bonds to the amount of not to exceed \$101,000,000 for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year 1903,' relative to the advisory board of consulting engineers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Armstrong moved that the said three bills (Ints. Nos. 742, 743 and 744) be recommitted to the committee on finance, retaining place in the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, introduced a bill (Int. No. 745) entitled "An act to amend the Greater New

Also, the bill (No. 491, Rec. No. 282) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Indian Lake, Hamilton county, against the State for moneys paid out for services of fire wardens and persons assisting in extinguishing forest or woodland fires, alleged to be due such town from the State, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 894, Rec. No. 283) entitled "An act making an appropriation for the payment of the principal and interest of Adirondack park bonds, issued pursuant to chapter 220 of the Laws of 1897," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1234, Rec. No. 284) entitled "An act to amend chapter 20 of the Laws of 1857, entitled 'An act to sell the burial ground at the Wallabout, in the city of Brooklyn, and to provide places of burial,' in relation to sales of places so provided," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1402, Rec. No. 285) entitled "An act to amend the Code of Civil Procedure, in relation to the disclosure of communications by certified public accountants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 534, Rec. No. 286) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of George W. Roth against the State of New York, and to make an award therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 327, Rec. No. 287) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of any officer or member of the State militia for counsel fees and expenses, and to render judgment therefor," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1370, Rec. No. 288) entitled "An act making appropriations for payment of balances of salaries of William J. Donahue, Mervin C. Stanley and Jean L. Burnett, deceased members of Assembly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1334, Rec. No. 289) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to payment of assessment by towns instead of abutting owners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1368, Rec. No. 290) entitled "An act to amend the Public Health Law, relative to the term of office of local health officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, the bill (No. 836, Rec. No. 291) entitled "An act making appropriations for the State charitable institutions, the New York State School for the Blind, the Elmira Reformatory, and the Eastern New York Reformatory," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly returned the Assembly bill (No. 22, Rec. No. 40) entitled "An act to provide for the expense of widening Livingston street in the borough of Brooklyn, city of New York," with a message that said bill had been transmitted to the mayor of the city of New York for a hearing and had been returned by said mayor with a message that the same was not accepted, and that said bill had been again duly passed by the Assembly.

Mr. Travis moved that said bill be again passed notwithstanding the objection of the city thereto.

The President put the question whether the Senate would agree to the final passage of said bill, notwithstanding the objection of the city, the same having been printed and upon the desks

of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|--------|
| Ackroyd | Cohalan | Foelker | Hill | Sohmer |
| Agnew | Cordts | Franchot | Hooker | Taylor |
| Boyce | Davis | Frawley | O'Neil | Travis |
| Burr | Dunn | Gates | Page | Tully |
| Carpenter | Emerson | Gilchrist | Ramsperger | Wemple |
| Cassidy | Fancher | Grattan | Saxe | Wilcox |
| | | | | 30 |

FOR THE NEGATIVE.

| | | | | |
|-----------|-----------|----------|----------|----------|
| Armstrong | Harte | McCall | Mullaney | Thompson |
| Cullen | Hasenflug | McCarren | Owens | White |
| Fuller | Knapp | McManus | Sullivan | |
| | | | | 14 |

Ordered, That the Clerk return said bill to the Assembly.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 960, Senate reprint No. 823, Rec. No. 128), entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring property for a right of way; constructing a distributing main; and for other purposes necessary in acquiring and constructing the system of water works, now under contract for construction, for said city."

Also, Senate bill (No. 825, Int. No. 429) entitled "An act to amend the Election Law, as amended by chapters 95 and 232 of the Laws of 1901 and chapter 643 of the Laws of 1905, relating to notices of election."

Also, Senate bill (No. 785, Int. No. 435) entitled "An act to amend the Penal Code, in relation to larceny."

Also, Senate bill (No. 784, Int. No. 513) entitled "An act to amend section 458 of the Penal Code, relating to crimes against the public peace."

Also, Senate bill (No. 786, Int. No. 44) entitled "An act in relation to illuminating gas in the city of Albany and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation."

Also, Senate bill (No. 790, Int. No. 556) entitled "An act to amend the Code of Civil Procedure, in relation to appeals from orders."

Also, Senate bill (No. 612, Int. No. 527) entitled "An act to make the office of the county clerk of the county of Fulton a salaried office, and to provide for the conduct of said office."

Also, Senate bill (No. 643, Int. No. 553) entitled "An act to amend the Military Code, in relation to inventories of supplies and furniture for armories in the city of New York."

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Armstrong (No. 709, Int. No. 599), entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Draper (No. 767, Rec. No. 77), entitled "An act to release to the trustees of the Lewiston High School Academy all right, title and interest of the State to certain lands in the village of Lewiston, Niagara county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxe (No. 569, Int. No. 488), entitled "An act to amend the Penal Code, relative to ticket speculators," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place in the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxe (No. 570, Int. No. 489), entitled "An act to prohibit the issuance of licenses to ticket speculators," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place in the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Saxe (No. 871, Int. No. 711), entitled "An act to provide for discontinuing the use by the New York Central and Hudson River Railroad, for railroad purposes, of streets, avenues, public parks or places in

the borough of Manhattan in the city of New York at grade, and to that end to authorize the city of New York to grant certain real property to said railroad company and to acquire certain other real property and certain franchises from said railroad company by purchase or condemnation," reported the same for the consideration of the Senate, and submitted the following statement:

The above bill was introduced on Monday evening March 18th, and referred to the committee on affairs of cities. The bill had not been printed at the time of the committee meeting last evening, and the committee, therefore, has had no opportunity to consider the bill in its printed form. The committee is advised that great public necessity exists for the immediate advancement of the bill as the time limit fixed by the act passed last year for action on the part of the railroad company will expire on March 26th. It is also advised that the bill has been practically agreed upon by all parties interested. In view of this situation, the committee does not wish to take the responsibility of delaying action upon the bill until its next meeting, neither does it wish, in view of the fact that it has had no opportunity to consider the bill, to make any recommendation to the Senate as to what action should be taken thereon. The committee, therefore, reports the bill for consideration by the Senate.

Ordered, That said bill be restored to its place on the order of third reading.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Croak (No. 1375, Rec. No. 208), entitled "An act to amend the Code of Civil Procedure, relative to the compensation of deputy sheriffs and constables attending courts in Richmond county," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Moreland (No. 575, Rec. No. 38), entitled "An act to provide an additional appropriation for common schools and authorizing the apportionment of district quotas to be made in accordance with the provisions of chapter 698 of the Laws of 1906," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Heacock (No. 576, Int. No. 495), entitled "An act to amend chapter 109 of the Laws of 1897, entitled 'An act to extend the time for the Davenport, Middleburgh and Durham railroad company to begin the construction of its road and expend thereon ten per centum of its capital and finish and put the same in operation,' as amended by chapter 141 of the Laws of 1902, by further extension of time," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Assembly bill introduced by Mr. Baldwin (No. 1132, Rec. No. 165), entitled "An act to amend the Railroad Law, relative to motive power of street surface railroads in certain counties," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Wemple (No. 335, Int. No. 306), entitled "An act to amend section 58 of chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws, as amended by chapter 539 of the Laws of 1899, and by chapter 380 of the Laws of 1906,' in relation to the appointment of motormen as special policemen," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 830, Int. No. 694), entitled "An act to amend the Greater New York charter, in relation to the presentation of claims against the city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Page (No. 642, Int. No. 552), entitled "An act to provide for the payment of the claim of James Shewan and Sons, for work, labor and services or materials and supplies furnished for the repairs to the city ferry

boats, under order or direction of the department of docks and ferries of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Mullaney (No. 761, Int. No. 177), entitled "An act to amend the Greater New York charter by enacting a new section, to be known as section 823-e, relative to the acquirement of certain water-front property between Montgomery street and East Sixteenth street, on the East river, borough of Manhattan, city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by committee on affairs of cities (No. 913, Rec. No. 164), entitled "An act to amend the Greater New York charter, as re-enacted by chapter 466 of the Laws of 1901, relative to the police department," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Robinson (No. 961, Rec. No. 161), entitled "An act to amend the Greater New York charter, in relation to the disposition of horses used in the fire, police and street cleaning departments," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Schulz (No. 248, Rec. No. 91), entitled "An act to provide for the pensioning of Mary Hedeman, mother of patrolman William Hedeman, deceased," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fuller (No. 665, Int. No. 573), entitled "An act to amend section 391 of the Greater New York charter, in relation to the employment and payment of inspectors of removals of pavements or disturbances of surface

of streets," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 590, Int. No. 509), entitled "An act to amend the Greater New York charter, relative to the apportionment of taxes on undivided parcels of real estate," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole."

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 432, Int. No. 384), entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to inquire into, audit and allow the claim of the Brooklyn Heights Railroad Company for work, labor, services, material and supplies furnished under the request, order or direction of the bridge department of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Volk (No. 912, Rec. No. 123), entitled "An act to amend the Code of Civil Procedure, relative to the allowance made by supervisors to grand and trial jurors in certain counties," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Leave of absence was granted to Mr. Grady until Thursday.

The Senate bill (No. 612, Int. No. 527) entitled "An act to make the office of the county clerk of the county of Fulton a salaried office, and to provide for the conduct of said office," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | McCall | Sohmer |
| Agnew | Davis | Gilchrist | McCarren | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 790, Int. No. 556) entitled "An act to amend the Code of Civil Procedure, in relation to appeals from orders," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | McCall | Sohmer |
| Agnew | Davis | Gilchrist | McCarren | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 643, Int. No. 553) entitled "An act to amend the Military Code, in relation to inventories of supplies and furniture for armories in the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Sullivan |
| Agnew | Cullen | Gates | Mullaney | Taylor |
| Armstrong | Davis | Grattan | O'Neil | Thompson |
| Boyce | Dunn | Hasenflug | Owens | Travis |
| Burr | Emerson | Hill | Page | Tully |
| Carpenter | Fancher | Hinman | Ramsperger | Wemple |
| Cassidy | Foelker | Hooker | Saxe | White |
| Cobb | Franchot | Knapp | Sohmer | Wilcox |
| Cohalan | Frawley | | | |

42

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 473, Rec. No. 101) entitled "An act authorizing and requiring the payment of the tax on foreign fire insurance corporations collected and received by the treasurer of the city of Little Falls, New York, under section 133 of the Insurance Law, to the treasurer of the Exempt Firemen's Association of the city of Little Falls, New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | McCall | Sohmer |
| Agnew | Davis | Gilchrist | McCarren | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Travis |
| Burr | Fancher | Hasenflug | O'Neil | Thompson |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 916, Rec. No. 113) entitled "An act to amend chapter 212 of the Laws of 1896, entitled 'An act to provide for the care of court papers, judgment-rolls and other papers and instruments in the Rensselaer county clerk's office,' in relation to salary of custodian," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | McCall | Sohmer |
| Agnew | Davis | Gilchrist | McCarren | Sullivan |
| Armstrong | Dunn | -Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 784, Int. No. 513) entitled "An act to amend section 458 of the Penal Code, relating to crimes against the public peace," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|---------|-----------|----------|------------|----------|
| Ackroyd | Emerson | Grattan | Mullaney | Thompson |
| Boyce | Fancher | Harte | Owens | Travis |
| Burr | Foelker | Hill | Page | Tully |
| Cassidy | Frawley | McCall | Ramsperger | Wemple |
| Cohalan | Gates | McCarren | Sohmer | White |
| Cullen | Gilchrist | McManus | Sullivan | Wilcox |
| Davis | | | | |

31

FOR THE NEGATIVE.

| | | | | |
|-----------|----------|--------|--------|-------|
| Agnew | Dunn | Hinman | Hooker | Knapp |
| Armstrong | Franchot | | | |

7

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 171, Rec. No. 63) entitled "An act to amend chapter 117 of the Laws of 1897, entitled 'An act to make the office of sheriff of Washington county a salaried office,

and regulating the management of said office,' in relation to the salary of under sheriff," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | McCall | Sohmer |
| Agnew | Davis | Gilchrist | McCarren | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 960, Senate reprint No. 823, Rec. No. 128) entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring property for a right of way; constructing a distributing main; and for other purposes necessary in acquiring and constructing the system of water works, now under contract for construction, for said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | McCall | Sohmer |
| Agnew | Davis | Gilchrist | McCarren | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 704, Int. No. 594) entitled "An act to amend an act to organize and establish a police department for the village of White Plains, county of Westchester and State of New York, being chapter 306 of the Laws of 1904 as amended, by chapter 165 of the Laws of 1906," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | McCall | Sohmer |
| Agnew | Davis | Gilchrist | McCarren | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Francher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 769, Senate reprint No. 723, Rec. No. 81) entitled "An act to amend the Highway Law, in relation to exempting certain counties from the poll tax," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cullen | Gates | McCall | Sohmer |
| Agnew | Davis | Gilchrist | McCarren | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Francher | Hasenflug | O'Neil | Travis |

| | | | | |
|-----------|----------|--------|------------|--------|
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 785, Int. No. 435) entitled "An act to amend the Penal Code, in relation to larceny," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | McCall | Sohmer |
| Agnew | Davis | Gilchrist | McCarren | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 825, Int. No. 429) entitled "An act to amend the Election Law, as amended by chapters 95 and 232 of the Laws of 1901, and chapter 643 of the Laws of 1905, relating to notices of election," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cullen | Gates | McCall | Sohmer |
| Agnew | Davis | Gilchrist | McCarren | Sullivan |
| Armstrong | Dunn | Grattan | McManus | Taylor |
| Boyce | Emerson | Harte | Mullaney | Thompson |

| | | | | |
|-----------|----------|-----------|------------|--------|
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 786, Int. No. 44) entitled "An act in relation to illuminating gas in the city of Albany and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation," having been announced for third reading, Mr. Grattan moved that said bill be recommitted to the committee on miscellaneous corporations with instructions to said committee to report the same forthwith, amended as follows:

Strike out the amendments made by the said committee and restore said bill to its original form. (Senate print No. 44.)

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | Knapp | Sohmer |
| Agnew | Dunn | Grattan | Mullaney | Taylor |
| Armstrong | Fancher | Harte | O'Neil | Thompson |
| Burr | Foelker | Hasenflug | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cobb | Frawley | Hinman | Ramsperger | Wemple |
| Cohalan | Fuller | Hooker | Saxe | White |
| Cordts | Gates | | | |

37

FOR THE NEGATIVE.

| | | | | |
|---------|---------|----------|----------|--------|
| Boyce | Cullen | McCall | Sullivan | Wilcox |
| Cassidy | Emerson | McCarren | | |

8

Mr. Hinman, from the committee on miscellaneous corporations, reported said bill amended as directed, and the same was ordered placed on the order of third reading.

Said bill (No. 44) was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Aekroyd | Davis | Gilchrist | Knapp | Sohmer |
| Agnew | Dunn | Grattan | McManus | Taylor |
| Armstrong | Fancher | Harte | Mullaney | Thompson |
| Burr | Foelker | Hasenflug | O'Neil | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cobb | Frawley | Hinman | Ramsperger | Wemple |
| Cohalan | Fuller | Hooker | Saxe | White |
| Cordts | Gates | | | |

37

FOR THE NEGATIVE.

| | | | | |
|---------|---------|----------|----------|--------|
| Boyce | Cullen | McCall | Owens | Wilcox |
| Cassidy | Emerson | McCarren | Sullivan | |

9

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 828, Int. No. 548) entitled "An act to amend the Navigation Law, in relation to regattas held on certain waters within the jurisdiction of the State," having been announced for third reading, Mr. Cassidy moved that said bill be recommitted to the committee on commerce and navigation, with instructions to said committee to report the same forthwith amended as follows:

Page 1, line 2, after the word "ninety" insert the word "seven".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cordts, from the committee on commerce and navigation, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly returned the Assembly bill (No. 918, Senate reprint No. 721, Rec. No. 115) entitled "An act to amend the Forest, Fish and Game Law, in relation to powers of the supervisors in certain counties in respect to nets, pounds and other illegal devices," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

Mr. Agnew moved that the committee on finance be discharged from the consideration of Senate bill (No. 112, Int. No. 110) entitled "An act making an appropriation for the promotion of agriculture in this State by appropriating a certain fixed sum to be appropriated and distributed as provided by chapter 820 of the Laws of 1895, and the acts amendatory thereof," that said bill be

committed to the committee on codes, and upon report therefrom be recommitted to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Wemple offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 277, Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, New York," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Wemple offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 276, Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, New York," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Assembly returned the Senate bill (No. 106, Assembly reprint No. 1336, Int. No. 106) entitled "An act to authorize the justices of the Appellate Division of the Supreme Court in the Second Judicial Department to appoint a case and consultation clerk, and to provide for his compensation."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 261, Assembly reprint No. 1125, Int. No. 249) entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city

of Albany,' relative to salaries of deputy superintendent of the almshouse and clerk," was returned by the mayor of the city of Albany, with a certificate that a public hearing has been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 333, Int. No. 304) entitled "An act authorizing the city of Albany and the Albany Orphan Asylum to enter into an agreement for determining the boundary line between their premises, and to exchange lands in fulfillment thereof," was returned by the mayor of the city of Albany, with a certificate that a public hearing has been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the Senate bill (No. 503, Int. No. 105) entitled "An act to amend an act entitled 'An act to extend the time within which the International Railway Company and the Crosstown Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation,'" with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Buffalo for a hearing, pursuant to the provisions of the constitution.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, MARCH 21, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. O. B. Coit.

The journal of yesterday was read and approved.

Mr. Agnew introduced a bill (Int. No. 751) entitled "An act to authorize the board of estimate and apportionment of the city

of New York in its discretion to examine, audit and allow the balance of certain claims for reimbursement and compensation for expenditures made because of damages alleged to have been suffered by reason of the changes made in the grades of certain streets pursuant to a resolution of the board of aldermen, remaining unpaid after the payment of the part of said claims authorized to be allowed by chapter 599 of the Laws of 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cohalan introduced a bill (Int. No. 752) entitled "An act to amend section 21 of the Civil Service Law, in relation to power of removal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Carpenter introduced a bill (Int. No. 753) entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer, and increasing the duties of superintendent of streets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Taylor introduced a bill (Int. No. 754) entitled "An act to amend chapter 572 of the Laws of 1902, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Boyce introduced a bill (Int. No. 755) entitled "An act to amend an act, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' being chapter 146 of the Laws of 1856," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. White introduced a bill (Int. No. 756) entitled "An act to reappropriate money for the erection of a State armory and stable in the city of Syracuse as provided for by chapter 743 of the Laws of 1905," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on finance.

Mr. Cassidy introduced a bill (Int. No. 757) entitled "An act to amend chapter 684 of the Laws of 1906, in relation to the compensation of officers and employees of the State reformatories," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Wilcox introduced a bill (Int. No. 758) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse in Yates county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 759) entitled "An act to amend the Forest, Fish and Game Law, relative to close season for quail in Yates county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 760) entitled "An act to amend the Forest, Fish and Game Law, in relation to close season for black and gray squirrels in the county of Yates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 761) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for woodcock in Yates county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Cordts introduced a bill (Int. No. 762) entitled "An act for the restoration of the low rate coal prices by reopening the Delaware and Hudson canal to the coal mines of Pennsylvania and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Gilchrist introduced a bill (Int. No. 763) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments affecting the property of the Euclid Avenue Baptist Church in the borough of Brooklyn, and to declare such property hereafter ex-

empt from such assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 764) entitled "An act to provide for the care and custody of the personal property of infants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tully introduced a bill (Int. No. 765) entitled "An act to amend the Civil Service Law, relative to examinations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence the bill (No. 1279, Rec. No. 292) entitled "An act to amend the Agricultural Law, in relation to prosecutions for penalties," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cobb, and by unanimous consent, said bill was substituted for Senate bill (No. 522, Int. No. 455), now in the committee of the whole.

Also, the bill (No. 1278, Rec. No. 293) entitled "An act to amend the Agricultural Law, in relation to the powers and duties of the Commissioner of Agriculture," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cobb, and by unanimous consent, said bill was substituted for Senate bill (No. 597, Int. No. 516), now in the committee of the whole.

Also, the bill (No. 1516, Rec. No. 294) entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 1520, Rec. No. 295) entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' in relation to salaries of city officials, duties of city clerk and city judge, and jurisdiction of City Court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 979, Rec. No. 296) entitled "An act to

amend chapter 205 of the Laws of 1906, entitled 'An act to incorporate the trustees of the William Croswell Doane Fund for Christian work in the diocese of Albany,' in relation to the objects of such corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1513, Rec. No. 297) entitled "An act to amend the Greater New York charter, in relation to the police department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1462, Rec. No. 298) entitled "An act to amend the Railroad Law, in relation to motive power of street surface railroads in the counties of Herkimer, Hamilton, Onondaga, Wayne, Madison and Chenango," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 1105, Rec. No. 299) entitled "An act to provide for the construction of extensions of the building in the Central park, in the city of New York, occupied by the Metropolitan Museum of Art, and for the changing, equipping and fitting up of such building and extensions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A resolution was received from the Assembly, in the words following:

Resolved, That a respectful message be sent to the Senate requesting the return to the Assembly of Assembly bill (No. 807, Rec. No. 171), entitled "An act to amend chapter 530 of the Laws of 1904, entitled 'An act to incorporate the Brooklyn Academy of Music, in the borough of Brooklyn, city of New York,' in relation to its capital stock," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 881, Mr. Dudley (No. 1268, Rec. No. 212), entitled "An act creating

Senate reprint No. 846, Rec. No. 180), entitled "An act to legalize and validate certain paving bonds of the village of Mamaroneck and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of taxes and local assessments for the payment of the principal and interest thereof."

Also, Senate bill (No. 845, Int. No. 448) entitled "An act to regulate the taking of deposits by certain persons, firms and corporations."

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Thompson (No. 456, Int. No. 402), entitled "An act to prohibit sheriffs and other officers from allowing prisoners in city, county, town or village jails to perform clerical work," reported the same, with amendments, and the title amended to read as follows: "An act to prohibit sheriffs and other officers from allowing prisoners in any jail in the city of New York to perform clerical work," and also with a recommendation that said bill be referred to the committee on affairs of cities.

Ordered, That said bill be reprinted and committed to the committee on affairs of cities.

Mr. Gates, from the committee on banks, to which was referred the Senate bill introduced by Mr. McManus (No. 464, Int. No. 410), entitled "An act to amend the Banking Law, in relation to the superintendent taking possession of banks or individual banker's property and giving notice thereof and forbidding subsequent payments and clearances," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cassidy, from the committee on public health, to which was referred the Senate bill introduced by Mr. Page (No. 155, Int. No. 151), entitled "An act in relation to the Medical Society of the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Emerson (No. 758, Int. No. 47), entitled "An act to amend

chapter 66 of the Laws of 1906, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' in relation to the payment of subordinates and the number of deputies," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Emerson, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 829, Int. No. 98), entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof and to sell the present court house and site and the county clerk's office and site, situate in Utica,' as amended by chapter 132 of the Laws of 1905," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ackroyd, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Hammond (No. 1458, Rec. No. 274), entitled "An act to amend chapter 20 of the Laws of 1906, entitled 'An act creating the office of purchasing agent for the county of Onondaga, and prescribing his powers and duties,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Baldwin (No. 843, Rec. No. 175), entitled "An act to authorize the board of supervisors of Onondaga county to dispose of certain real property no longer required for county purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Hooker (No. 770, Int. No. 654), entitled "An act to amend the County Law, in relation to the custody and care of minors

in county jails," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Gates (No. 660, Int. No. 571), entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs, to which was referred the Assembly bill introduced by Mr. Hamilton (No. 1333, Rec. No. 217), entitled "An act authorizing the board of supervisors of Chautauqua county to declare the office of county clerk of such county a salaried office and to fix and determine the amount of compensation and regulating the management of such office," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Volk (No. 380, Rec. No. 56), entitled "An act to amend the Highway Law, in relation to poll taxes in towns under the money system," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Hammond (No. 1460, Rec. No. 273), entitled "An act to amend the County Law, relative to salaries of the county judge and the surrogate in certain counties," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by

the office of county attorney in and for certain counties," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Wilcox, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 1045, Rec. No. 145), entitled "An act to amend chapter 704 of the Laws of 1901, entitled 'An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office,' in relation to the salaries of superintendent, clerks and assistants in said office," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Harris (No. 1047, Rec. No. 186), entitled "An act to amend chapter 309 of the Laws of 1902, entitled 'An act to provide a purchasing agent for the county of Monroe and to repeal certain existing provisions of law relative thereto,' relative to salary of stenographer of purchasing agent and powers and duties of such purchasing agent," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Franchot (No. 636, Int. No. 531), entitled "An act to revise the charter of the city of North Tonawanda," reported the same for the consideration of the Senate.

Ordered, That said bill be committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wemple (No. 799, Int. No. 671), entitled "An act in relation to furnishing free textbooks to the pupils of the public schools of the city of Schenectady, at the expense of said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grattan (No. 743, Int. No. 628), entitled "An act to amend subdivision 7 of section 2 of chapter 174 of the Laws of 1903, entitled 'An act to amend chapter 554 of the Laws of 1899, entitled "An act to establish a police pension fund for the city of Albany," relative to an increase of the same,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Gunderman (No. 992, Rec. No. 182), entitled "An act to permit the city of Ithaca, upon request of the Ithaca water board, to sell and convey real property pertaining to the water department of said city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cassidy, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Burhyte (No. 1228, Rec. No. 202), entitled "An act to amend the Highway Law, relative to the amount to be paid by the State to towns which have adopted the money system," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Lansing (No. 367, Rec. No. 37), entitled "An act to amend chapter 306 of the Laws of 1899, entitled 'An act to confirm, reduce, levy and provide for the collection by the city of Rensselaer as the successor of the village of Greenbush of certain assessments made by the village of Greenbush and to confirm the proceedings had with reference thereto and the issue of bonds thereon,' in relation to the collection of unpaid street paving assessments," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Staley (No. 1038, Rec. No. 139), entitled "An act to repeal

chapter 682 of the Laws of 1894, entitled 'An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery,' reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Croak (No. 678, Rec. No. 178), entitled "An act to amend chapter 392 of the Laws of 1896, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of certain employees in the jail of said county,' in relation to salary of jailor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. O'Brien (No. 899, Rec. No. 192), entitled "An act to enable the county of Erie to provide for the establishment of a county lodging-house and the maintenance of the same," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Hamilton (No. 1048, Rec. No. 144), entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9 in the town of Pomfret a union free school district,' in relation to salary of secretary and assistant secretary," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Hammond (No. 839, Rec. No. 185), entitled "An act to amend chapter 233 of the Laws of 1884, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga, and for post-mortem examinations in coroners' cases

in said county," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Allen (No. 1281, Rec. No. 227), entitled "An act to authorize the city of Jamestown to receive contributions for certain purposes, and to determine the manner of collecting the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Baldwin (No. 1121, Rec. No. 176), entitled "An act to amend the uniform charter of cities of the second class, relative to salary of city engineer in certain cities," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grattan (No. 417, Int. No. 375), entitled "An act to amend the Labor Law, relative to hours of labor on street surface and elevated railroads," reported the same to the Senate with amendments.

On motion of Mr. Davis, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on the judiciary.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Rogers (No. 1259, Rec. No. 220), entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' relating to the filling of vacancies in elective offices," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Wemple (No. 611, Int. No. 526), entitled "An act to amend chapter 64 of the Laws of 1854, entitled 'An act to incorporate the Saratoga Lake Bridge Company,'" reported in favor of the passage of the same, which

report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hooker (No. 386, Int. No. 343), entitled "An act to amend chapter 120 of the Laws of 1881, entitled 'An act concerning certain records in the office of the Secretary of State and of the Comptroller,' relative to filing certain election returns and files in the State library," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. McCarren (No. 811, Int. No. 683), entitled "An act authorizing the Roman Catholic Sisters of Charity of Brooklyn, N. Y., a benevolent and charitable corporation, to convey a portion of its real property located in the borough of Brooklyn, county of Kings, city and State of New York, to Right Reverend Charles E. McDonnell, D. D., bishop of Brooklyn," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Page, from the committee on public education, to which was referred the Senate bill introduced by Mr. Page (No. 272, Int. No. 259), entitled "An act to amend the Consolidated School Law, by abolishing the office of school commissioner, creating the office of district superintendent of schools and prescribing the powers, duties and responsibilities of such superintendent," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cordts, from the committee on commerce and navigation, to which was referred the Assembly bill introduced by Mr. Voss (No. 545, Rec. No. 55), entitled "An act to reduce the rate of ferriage on the ferry known as the South Brooklyn or Thirty-ninth street ferry, plying between the foot of Whitehall street in the borough of Manhattan and Thirty-ninth street in the borough of Brooklyn, and to establish a rate of ferriage thereon," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Duell (No. 1226, Rec. No. 203), entitled "An act to amend the General Corporation Law, in relation to corporate names," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. De Groot (No. 494, Rec. No. 168), entitled "An act to incorporate 'The Queens Borough Public Library' and to permit libraries in the borough of Queens of the city of New York to convey their property thereto, and limiting and defining the powers thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Morgan (No. 887, Rec. No. 191), entitled "An act to legalize and confirm the organization and existence of common school district No. 9 of the towns of Sweden and Clarkson and to legalize and confirm all proceedings of the board of trustees and legal voters of such common school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Davis (No. 812, Int. No. 684), entitled "An act exempting the bonds of Erie county from taxation," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Brady (No. 943, Rec. No. 167), entitled "An act to legalize certain bonds of the town of Hunter in the county of Greene," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cordts, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Page, from the committee on public education, to which was referred the Senate bill introduced by Mr. Page (No. 571, Int. No. 490), entitled "An act to amend title 15 of the Consolidated School Law, by providing for courses of study in and the inspection and supervision of schools or classes in charitable and penal institutions," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on public education, to which was referred the Senate bill introduced by Mr. Page (No. 702, Int. No. 592), entitled "An act to amend section 17 of chapter 378, Laws of 1892, known as the University Law, relative to the use of the State library," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on public education, to which was referred the Senate bill introduced by Mr. Carpenter (No. 740, Int. No. 624), entitled "An act empowering union free school district No. 1 of the town of White Plains, N. Y., to acquire land for the purpose of an athletic field," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on public education, to which was referred the Assembly bill introduced by Mr. Brady (No. 777, Rec. No. 166), entitled "An act to create two common school districts out of common school district No. 15 of the town of Catskill, Greene county, N. Y.," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on public education, to which was referred the Assembly bill introduced by Mr. Cunningham (No. 1378, Rec. No. 209), entitled "An act to amend the Consolidated School Law, relative to school record certificates required under the Compulsory Education Law," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Davis (No. 813, Int. No. 685), entitled "An act to enable the board of education of

the Methodist Episcopal Church to transfer its property to 'The board of education, Freedman's aid Sunday-schools of the Methodist Episcopal Church,' " reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grattan (No. 648, Int. No. 559), entitled "An act to legalize, ratify and confirm an agreement between the United Traction Company, a domestic corporation, and the county of Albany, relative to the discontinuance of certain toll charges by said company, on certain lands owned by said company and used as a turnpike, and providing for the repair, improvement and maintenance thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Assembly bill (No. 881, Senate reprint No. 846, Rec. No. 180) entitled "An act to legalize and validate certain paving bonds of the village of Mamaroneck and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village, and to provide for the delivery or resale thereof and for the levy of taxes and local assessments for the payment of the principal and interest thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Knapp | Smith |
| Agnew | Cullen | Gilchrist | McCall | Sohmer |
| Allds | Davis | Grattan | McCarren | Taylor |
| Armstrong | Dunn | Harte | Mullaney | Thompson |
| Boyce | Emerson | Hasenflug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cobalan | | | | |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 845, Int. No. 448) entitled "An act to regulate the taking of deposits by certain persons, firms and corporations," having been announced for third reading, Mr. Hooker moved that said bill be recommitted to the committee on miscellaneous corporations, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 1, after the word "persons" insert the words "not now obliged to report to the Superintendent of Banks".

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Agnew | Davis | Gilchrist | McCall | Sohmer |
| Allds | Dunn | Grattan | McCarren | Taylor |
| Armstrong | Emerson | Harte | Mullaney | Thompson |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Heacock | Owens | Tully |
| Cassidy | Franchot | Hill | Page | Wemple |
| Cordts | Fuller | Hinman | Saxe | White |
| Cullen | Gates | Knapp | Smith | |

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FOR THE NEGATIVE.

| | | | |
|---------|------|--------|---|
| Ackroyd | Cobb | Hooker | 3 |
|---------|------|--------|---|

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 829, Int. No. 98) entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new courthouse in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof and to sell the present courthouse and site and the county clerk's office and site, situate in Utica,' as amended by chapter 132 of the Laws of 1905," having been announced for third reading, Mr. Ackroyd moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forth with, amended as follows:

Page 2, line 2, after the word "chapter" insert the words "one hundred and".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Carpenter moved that the committee on affairs of villages be discharged from the consideration of Senate bill (No. 706, Int. No. 596), entitled "An act to amend an act, entitled 'An act to provide for supplying the village of White Plains with water and authorizing the issue of bonds therefor and to create a board of water commissioners for said village,' being chapter 769 of the Laws of 1896," and that said bill be amended, reprinted and re-committed to the committee on affairs of villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wemple moved that the committee of the whole be discharged from the consideration of Senate bill (No. 335, Int. No. 306) entitled "An act to amend section 58 of chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws, as amended by chapter 539 of the Laws of 1899, and by chapter 380 of the Laws of 1906,' in relation to the appointment of motormen as special policemen," and that said bill be amended, reprinted and re-committed to the committee of the whole, the title being amended to read as follows: "An act to amend section fifty-eight of chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, entitled 'An act in relation to railroads, constituting chapter thirty-nine of the general laws, as amended by chapter five hundred and thirty-nine of the laws of eighteen hundred and ninety-nine, and by chapter three hundred and eighty of the laws of nineteen hundred and six,' in relation to the appointment of special policemen."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Neil moved that the committee on taxation and retrench-

ment be discharged from the consideration of Senate bill (No. 596, Int. No. 515) entitled "An act to amend section 183 of the Tax Law, in relation to corporations exempt from tax on capital stock," and that said bill be amended, the title amended to read as follows: "An act to amend the tax law, in relation to corporations exempt from tax on capital stock," and that the same be reprinted and recommitted to the committee on taxation and retrenchment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Thompson moved that the committee of the whole be discharged from the consideration of Senate bill (No. 512, Int. No. 445), entitled "An act to amend chapter 706 of the Laws of 1901, relative to additional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation thereof," and that said bill be amended, reprinted and recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 569, Int. No. 488), entitled "An act to amend the Penal Code, relative to ticket speculators."

(2) Senate (No. 570, Int. No. 489), entitled "An act to prohibit the issuance of licenses to ticket speculators."

(3) Senate (No. 787, Int. No. 322), entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing with nets in Hudson and Delaware rivers and adjacent waters."

(4) Senate (No. 788, Int. No. 511), entitled "An act to amend section 384-h of the Penal Code, relative to hours of labor to be required of employees of a corporation operating a line of railroad thirty miles in length, or over."

(5) Senate (No. 483, Int. No. 419), entitled "An act to provide for the erection and furnishing of a new courthouse in the city of Hudson for the use of the county of Columbia, and to provide means to defray the expense thereof, and to sell or dispose of the ruins of the former courthouse situate in Hudson."

After some time spent therein, the President resumed the chair, and Mr. Ackroyd, from said committee, reported in favor of the passage of the above-named bills, which report was agreed to, and said bills ordered to a third reading.

The Assembly returned the Senate bill (No. 290, Int. No. 111) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' relative to the appointment of a confidential clerk," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 482, Int. No. 430) entitled "An act to amend the Railroad Law, in relation to the consents of local authorities," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
ALBANY, March 21, 1907.

To the Senate:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Senate bill (No. 276, Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, New York."

CHARLES E. HUGHES.

Mr. Wemple moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | Knapp | Smith |
| Agnew | Cullen | Gilchrist | McCall | Sohmer |
| Allds | Davis | Grattan | McCarren | Taylor |
| Armstrong | Dunn | Harte | Mullaney | Thompson |

| | | | | |
|-----------|----------|-----------|------------|--------|
| Boyce | Emerson | Hasenflug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |

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Mr. Wemple moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 4, line 7, after the word "together" strike out comma and the entire remainder of subdivision 1, section 3 to and including page 4, line 12, and insert in place thereof the following: "and there be a child or children under eighteen years of age then to said child or children of such member in such proportions and in such manner as the board may direct, and if there be no such child or children and said member shall have been living with a sister at the time of his decease then said sum shall be payable to such sister, but if there be no such sister then the said benefit sum of five hundred dollars shall lapse".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK,

EXECUTIVE CHAMBER,

ALBANY, March 21, 1907.

To the Senate:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Senate bill (No. 277, Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, New York."

CHARLES E. HUGHES.

Mr. Wemple moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | Knapp | Smith |
| Agnew | Cullen | Gilchrist | McCall | Sohmer |
| Allis | Davis | Grattan | McCarren | Taylor |
| Armstrong | Dunn | Harte | Mullaney | Thompson |
| Boyce | Emerson | Hasenflug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hinman | Ramsperger | White |
| Cobb | Fuller | Hooker | Saxe | Wilcox |
| Cohalan | | | | |

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Mr. Wemple moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

On page 3, line 26, after word "together" strike out comma and the entire remainder of subdivision 1, section 3, to and including line 5, on page 4, insert in place thereof the following: "and there be a child or children under eighteen years of age then to said child or children of such member in such proportions and in such manner as the board may direct, and if there be no such child or children and said member shall have been living with a sister at the time of his decease, then said sum shall be payable to such sister, and if there be no such sister then the said benefit sum of five hundred dollars shall lapse".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly returned the Assembly bill (No. 960, Senate reprint No. 823, Rec. No. 128) entitled "An act authorizing the city of Lockport to issue bonds for the purpose of acquiring property for a right of way; constructing a distributing main; and for other purposes necessary in acquiring and constructing the system of water works now under contract for construction, for said city," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

The Senate bill (No. 405, Int. No. 362) entitled "An act to amend chapter 712 of the Laws of 1901, entitled 'An act to relieve the congestion and facilitate the traffic on the New York and Brooklyn bridge, and to improve and extend the footpaths, roadways, railway tracks and other facilities for the use of

pedestrians, vehicles and railway passengers at the westerly or Manhattan terminal of said bridge,' as to amendments, changes or modifications," was returned by the mayor of the city of New York, with a certificate that a public hearing has been duly held on said bill in pursuance of law, and that the mayor has duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 406, Int. No. 363) entitled "An act to provide for a temporary extension of the Manhattan or westerly terminal of the New York and Brooklyn bridge in the city of New York," was returned by the mayor of the city of New York, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the Senate bill (No. 694, Int. No. 533) entitled "An act authorizing the city of Buffalo to create a sinking fund with the avails of a sale of certain grade crossing bonds made on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, and from such fund to pay for the work for which said bonds were issued when the same shall be duly ordered, or to redeem said bonds with said fund, and to award other bonds to said fund without advertising," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Buffalo for a hearing, pursuant to the provisions of the constitution.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, MARCH 22, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. G. Meengo.

The journal of yesterday was read and approved.

The following communication was presented:

March 21, 1907.

In the absence of the President of the Senate, and the temporary President, I do hereby designate Senator William W. Armstrong to preside over the session of the Senate to be held Friday, March 22, 1907.

J. RAINES,
Temporary President.

Mr. Allds, from the committee on taxation and retrenchment, introduced a bill (Int. No. 766) entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 115, Rec. No. 19) entitled "An act to amend the lien law, in relation to chattel mortgages," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Knapp (No. 404, Int. No. 361), entitled "An act to amend the Tax Law, in regard to taxation of State lands in towns of Dannemora and Altona in Clinton county," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Cassidy (No. 420, Int. No. 378), entitled "An act to amend the Tax Law, relative to the taxation of personal property," reported the same for the consideration of the Senate, Mr. Saxe dissenting.

Ordered, That said bill be committed to the committee of the whole.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Franchot (No. 772, Int. No. 656) entitled "An act to amend the Tax Law, in relation to taxable transfers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. O'Neil, on behalf of Mr. Ramsperger, offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 480, Int. No. 428) entitled "An act to amend chapter 414 of the Laws of 1901, entitled 'An act for the incorporation of Der Bayerische National-Verband Von Nord-Amerika,'" for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Assembly returned the Senate bill (No. 781, Int. No. 59) entitled "An act to amend the County Law, relative to the appointment of assistant district attorneys in the county of Queens," with a message that they have reconsidered the vote upon the final passage of said bill and have passed the same as amended by the Senate.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the Constitution.

The President presented the report of the Forty-first Annual Encampment, Department of New York, Grand Army of the Republic, which was laid upon the table and ordered printed.

(See Document.)

Mr. Allds moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, MARCH 25, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. F. B. Cowan.

The journal of Friday, March 22nd, was read and approved.

Mr. Harte introduced a bill (Int. No. 767) entitled "An act to release to Margaret Marth all the right, title and interest of the people of the State of New York in and to certain real estate situated at Brentwood plaza, Westchester county, and in certain real estate situated in the town of Southampton, Suffolk county and State of New York, acquired by escheat or otherwise upon the death of Roman Marth, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Grady introduced a bill (Int. No. 768) entitled "An act to amend chapter 91 of the Laws of 1895, entitled 'An act to amend the incorporation of 'The Society of the War of 1812,' in relation to merger of council and board of directors, eligibility, appointment to and oath of office and use of armories," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Saxe introduced a bill (Int. No. 769) entitled "An act to amend the Tax Law, in relation to the taxation of bank shares," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 770) entitled "An act to amend chapter 572 of the Laws of 1886, entitled 'An act in relation to certain actions against municipal corporations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 771) entitled "An act to amend the Insurance Law, relative to the insurance of automobiles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Frawley introduced a bill (Int. No. 772) entitled "An act to authorize the commissioners of the sinking fund of the city of

New York to cancel and annul certain taxes for the year 1906 affecting property situate in the borough of Manhattan in the city of New York now belonging to and upon which is erected the building of the Young Women's Hebrew Association of the City of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cohalan introduced a bill (Int. No. 773) entitled "An act to establish a public service commission and prescribing its powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Carpenter introduced a bill (Int. No. 774) entitled "An act to provide for the election of a president of the common council of the city of Mount Vernon, defining his duties and fixing his salary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 775) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of a deputy commissioner of public works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities:

Mr. Grattan introduced a bill (Int. No. 776) entitled "An act to authorize the city of Cohoes to borrow money therefor and to construct a bridge over the first branch of the Mohawk river, at Ontario street in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 777) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Oliver A. Quayle against the State for damages alleged to have been sustained by him, and to render judgment therefor," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on the judiciary.

Mr. Raines introduced a bill (Int. No. 778) entitled "An act for the relief of the county of Ontario, relative to the collection of uncollected taxes therein of the years 1898, 1899, 1900, 1901, 1902, 1903, 1904 and 1905, and empowering and directing the county treasurer thereof to collect such taxes by advertisement and sale of lands upon which the same were assessed." which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Hooker introduced a bill (Int. No. 779) entitled "An act to amend the Real Property Law, relative to furnishing certificates of recording discharge of mortgage by recording officer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 780) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Livingston county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Ramsperger introduced a bill (Int. No. 781) entitled "An act to amend chapter 473 of the Laws of 1906, entitled 'An act to provide for the government of cities of the second class,' relative to appeals from the commissioner of public safety," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Burr introduced a bill (Int. No. 782) entitled "An act to amend the Consolidated School Law, in relation to the payment by the county of school taxes returned as unpaid in the county of Suffolk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, a bill (Int. No. 783) entitled "An act to confer certain powers on the board of supervisors and treasurer of the county of Suffolk in respect to taxes and to validate certain compromises of taxes heretofore made by such board," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. McManus introduced a bill (Int. No. 784) entitled "An act authorizing the municipal civil service commissioners of the city of New York to place on the eligible list of January 12, 1907, applicants for the police department of the city of New York, who have become 30 years of age after the examination held on September 12, 1906;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 1586, Rec. No. 300) entitled "An act to amend the County Law, in relation to killing or injuring of horses, cattle or swine by dogs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 775, Rec. No. 301) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine all claims against the State of New York, filed before this act becomes a law, for damages alleged to have been sustained by such persons at and on Fourth lake of the Fulton chain of lakes in the counties of Herkimer and Hamilton in the winter of 1905 and 1906, and spring of 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1523, Rec. No. 302) entitled "An act to amend chapter 488 of the Laws of 1905, entitled 'An act to establish a firemen's pension fund in the city of Troy, and providing for the payment of pensions therefrom,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1407, Rec. No. 303) entitled "An act to amend chapter 724 of the Laws of 1905, entitled 'An act to provide for an additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters, and other appurtenances for that purpose; and

for the appointment of a commission with the powers and duties necessary and proper to attain these objects,' in relation to clerks, stenographers, surveyors and other employees to commissioners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1339, Rec. No. 304) entitled "An act to amend the Domestic Relations Law, in relation to marriage by written agreement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1050, Rec. No. 305) entitled "An act to amend the Election Law, in relation to changing election districts in certain towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1589, Rec. No. 306) entitled "An act to amend chapter 87 of the Laws of 1893, entitled 'An act to amend chapter 335 of the Laws of 1868, entitled "An act to incorporate the city of Ogdensburg," and the acts amending the same,' in relation to construction of sidewalks and curbing and to provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1521, Rec. No. 307) entitled "An act to amend title 10 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the care of sick and disabled poor in hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 771, Rec. No. 308) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in Dutchess and Orange counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1590, Rec. No. 309) entitled "An act to amend chapter 2 of the Laws of 1907, entitled 'An act to confirm

the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds the village assumed as a part of the purchase price of its said system of water works,' relative to issuing bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 1515, Rec. No. 310) entitled "An act to amend the Transportation Corporations Law, in relation to the corporations for the generation and distribution of music electrically," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

Also, the bill (No. 1593, Rec. No. 311) entitled "An act to amend chapter 261 of the Laws of 1900, entitled 'An act to amend chapter 341 of the Laws of 1872, entitled "An act in reference to the Young Men's Association for Mutual Improvement in the City of Albany," relative to the board of trustees, vacancies therein, etc.,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1588, Rec. No. 312) entitled "An act to amend chapter 139 of the Laws of 1882, entitled 'An act to incorporate the Charity Organization Society of the City of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1592, Rec. No. 313) entitled "An act to amend the Greater New York charter, relating to actions for personal injuries arising out of the negligence of or nuisances created or maintained by the city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1075, Rec. No. 314) entitled "An act to authorize the trustees of the village of Kenmore, Erie county, N. Y., acting as a board of assessors, to levy an annual frontage

tax upon lands in said village in front of which water mains have been or may hereafter be extended," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 568, Rec. No. 315) entitled "An act to amend the Lien Law, relative to the filing of contracts, assignments or orders with the chief fiscal officer of a municipal corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1591, Rec. No. 316) entitled "An act to amend the Code of Civil Procedure, relative to the records of the weather taken at the arsenal, Central park, New York city, by the meteorological and astronomical observatory, being presumptive evidence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 818, Rec. No. 317) entitled "An act to provide for the erection and furnishing of a new courthouse in the city of Hudson for the use of the county of Columbia and to provide means to defray the expense thereof, and to sell or dispose of the ruins of the former courthouse situate in Hudson," which was read the first time, and by unanimous consent was also read the second time.

Mr. Smith moved that said bill be substituted for Senate bill (No. 483, Int. No. 419), of same title, now on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|---------|-----------|--------|----------|----|
| Agnew | Cordts | Franchot | Knapp | Sullivan | |
| Armstrong | Davis | Gilchrist | Page | Travis | |
| Boyce | Emerson | Grattan | Raines | Tully | |
| Carpenter | Fancher | Heacock | Saxe | Wemple | |
| Cassidy | Foelker | Hooker | Smith | Wilcox | 25 |

FOR THE NEGATIVE.

| | | | | | |
|---------|-----------|---------|------------|----------|----|
| Cobalan | Harte | McManus | Ramsperger | Taylor | |
| Fuller | Hasenflug | Owens | Sohmer | Thompson | |
| Grady | McCarren | | | | 12 |

Also, the bill (No. 1506, Rec. No. 318) entitled "An act em-

powering the comptroller of the city of New York to cancel and annul a certain assessment upon certain real property of the Trinity Methodist Episcopal Church in such city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1565, Rec. No. 319) entitled "An act to establish a police pension fund for the city of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 528, Rec. No. 320) entitled "An act to legalize the action of the board of directors of the Pittstown Insurance Company in borrowing money in the year 1904, and to provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1529, Rec. No. 321) entitled "An act to provide for the warming and ventilating of the Assembly chamber and adjoining rooms and corridors of the capitol, Albany, N. Y., and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1530, Rec. No. 322) entitled "An act authorizing the selection of lands as a site for the Eastern New York State Custodial Asylum, and establishing the said asylum," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1355, Rec. No. 323) entitled "An act to amend chapter 144 of the Laws of 1869, entitled 'An act to incorporate the Baptist Home of Brooklyn, N. Y.,' in relation to the powers of such corporation in respect to property and income," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1514, Rec. No. 324) entitled "An act to amend the Code of Civil Procedure, in relation to sheriffs' fees and placing causes on the calendar," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1510, Rec. No. 325) entitled "An act to amend chapter 205 of the Laws of 1863, entitled 'An act to incorporate the St. Joseph's German Roman Catholic Orphan Asylum Society of Rochester, Monroe county,' in relation to officers, trustees and members of St. Joseph's Orphan Asylum Society of Rochester and Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 455, Rec. No. 326) entitled "An act to better protect the lives of railroad employees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 1260, Rec. No. 327) entitled "An act to amend the Primary Election Law, relative to the application of its provisions to political parties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1496, Rec. No. 328) entitled "An act to equalize the salaries of the court officers and messengers of the Kings County Surrogate's Court with the court attendants of the County Court of Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1595, Rec. No. 329) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York,' relating to the compensation of the deputy clerks, assistant clerk, record clerks and attendants of the Court of General Sessions of the peace in and for the county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 811, Int. No. 683) entitled "An act authorizing the Roman Catholic Sisters of Charity of Brooklyn, N. Y., a benevolent and charitable corporation, to convey a portion of its real property located in the borough of Brooklyn, county of Kings, city and State of New

York, to Right Rev. Charles E. McDonnell, D. D., bishop of Brooklyn."

Also, Senate bill (No. 570, Int. No. 489) entitled "An act to prohibit the issuance of licenses to ticket speculators."

Also, Senate bill (No. 788, Int. No. 511) entitled "An act to amend section 384-h of the Penal Code, relative to hours of labor to be required of employees of a corporation operating a line of railroad thirty miles in length or over."

Also, Senate bill (No. 483, Int. No. 419) entitled "An act to provide for the erection and furnishing of a new courthouse in the city of Hudson for the use of the county of Columbia, and to provide means to defray the expense thereof, and to sell or dispose of the ruins of the former courthouse situate in Hudson."

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by the committee on ways and means (No. 845, Rec. No. 83), entitled "An act making appropriations for the support of government," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Leave of absence was granted to Messrs. White and Hill until Tuesday, to Mr. Dunn until Wednesday and to Mr. Sohmer for the sessions Thursday and Friday.

The Assembly bill (No. 899, Rec. No. 192) entitled "An act to enable the county of Erie to provide for the establishment of a county lodging house and the maintenance of the same," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|------------|----------|----------|
| Ackroyd | Cordts] | Gilechrist | McManus | Sohmer |
| Agnew | Cullen | Grady | Mullaney | Sullivan |
| Allis | Davis | Grattan | Owens | Taylor |
| Armstrong | Emerson | Harte | Page | Thompson |

| | | | | |
|-----------|----------|-----------|------------|--------|
| Boyce | Fancher | Hasenflug | Raines | Travis |
| Burr | Foelker | Heacock | Ramsperger | Tully |
| Carpenter | Franchot | Hooker | Saxe | Wemple |
| Cassidy | Frawley | McCall | Smith | Wilcox |
| Cohalan | Fuller | McCarren | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 943, Rec. No. 167) entitled "An act to legalize certain bonds of the town of Hunter in the county of Greene," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Fuller | McCarren | Smith |
| Agnew | Cordts | Gilchrist | McManus | Sohmer |
| Allds | Cullen | Grady | Mullaney | Sullivan |
| Armstrong | Davis | Grattan | O'Neil | Taylor |
| Boyce | Emerson | Harte | Owens | Thompson |
| Burr | Fancher | Hasenflug | Page | Travis |
| Carpenter | Foelker | Heacock | Raines | Tully |
| Cassidy | Franchot | Hooker | Ramsperger | Wemple |
| Cobb | Frawley | McCall | Saxe | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 992, Rec. No. 182) entitled "An act to permit the city of Ithaca, upon request of the Ithaca board, to sell and convey real property pertaining to the water department of said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cohalan | Fuller | McCarren | Smith |
| Agnew | Cordts | Gilchrist | McManus | Sohmer |
| Allds | Cullen | Grady | Mullaney | Sullivan |
| Armstrong | Davis | Grattan | O'Neil | Taylor |

| | | | | | |
|-----------|----------|-----------|------------|----------|----|
| Boyce | Emerson | Harte | Owens | Thompson | |
| Burr | Fancher | Hasenflug | Page | Travis | |
| Carpenter | Foelker | Heacock | Raines | Tully | |
| Cassidy | Franchot | Hooker | Ramsperger | Wemple | |
| Cobb | Frawley | McCall | Saxe | Wilcox | 45 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 570, Int. No. 489) entitled "An act to prohibit the issuance of licenses to ticket speculators," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the negative, a majority of all the Senators elected not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|--------|-----------|---------|--------|----|
| Allde | Cobb | Fancher | Grattan | Tully | |
| Armstrong | Cordts | Franchot | Raines | Wemple | |
| Carpenter | Davis | Gilchrist | Saxe | Wilcox | |
| Cassidy | | | | | 16 |

FOR THE NEGATIVE.

| | | | | | |
|---------|-----------|----------|------------|----------|----|
| Ackroyd | Frawley | Heacock | McManus | Sohmer | |
| Agnew | Fuller | Hooker | Mullaney | Sullivan | |
| Boyce | Grady | Knapp | Owens | Taylor | |
| Cohalan | Harte | McCall | Page | Thompson | |
| Cullen | Hasenflug | McCarren | Ramsperger | Travis | 25 |

By unanimous consent, Mr. Foelker was excused from voting.

Mr. Saxe moved to reconsider the vote by which said bill was lost, and that this motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|---------|----------|--------|--------|----|
| Allde | Cohalan | Franchot | Knapp | Tully | |
| Armstrong | Davis | Fuller | Raines | Wemple | |
| Cassidy | Fancher | Grattan | Saxe | Wilcox | |
| Cobb | Foelker | Hooker | Travis | | 19 |

FOR THE NEGATIVE.

| | | | | | |
|---------|-----------|----------|------------|----------|----|
| Ackroyd | Frawley | Heacock | Mullaney | Sohmer | |
| Agnew | Grady | McCall | Owens | Sullivan | |
| Boyce | Harte | McCarren | Page | Taylor | |
| Cordts | Hasenflug | McManus | Ramsperger | Thompson | |
| Cullen | | | | | 21 |

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative.

The Assembly bill (No. 552, Senate reprint No. 859, Rec. No. 44) entitled "An act to amend the Insurance Law, relative to the kinds of insurance that may be made," having been announced for third reading, Mr. Saxe moved that said bill be re-committed to the committee on insurance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate bill (No. 758, Int. No. 47) entitled "An act to amend chapter 66 of the Laws of 1906, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' in relation to the payment of subordinates and the number of deputies," having been announced for third reading, Mr. Emerson moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 18, after the word "appointed" insert a comma.

Page 3, line 25, after the word "for" and before the word "such" insert the word "each".

Page 4, line 9, after the word "shall" insert the word "each".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 811, Int. No. 683) entitled "An act authorizing the Roman Catholic Sisters of Charity of Brooklyn, N. Y., a benevolent and charitable corporation, to convey a portion of its real property located in the borough of Brooklyn, county of Kings, city and State of New York, to Right Rev. Charles E. McDonnell, D. D., bishop of Brooklyn," having been announced for third reading, Mr. McCarren moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 7, after the words "seventy-two" insert the words "of conveyances".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 788, Int. No. 511) entitled "An act to amend section 384-h of the Penal Code, relative to hours of labor to be required of employees of a corporation operating a line of railroad thirty miles in length, or over," having been announced for third reading, Mr. Page moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith amended as follows:

Strike out all amendments made in said committee and restore to its original form, Senate No. 592.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hinman, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 871, Int. No. 711) entitled "An act to provide for discontinuing the use by the New York Central and Hudson river railroad, for railroad purposes, of streets, avenues, public parks or places in the borough of Manhattan, in the city of New York, at grade, and to that end to authorize the city of New York to grant certain real property to said railroad company and to acquire certain other real property and certain franchises from said railroad company by purchase or condemnation," having been announced for third reading, Mr. Grady moved that said bill be recommitted to the committee on affairs of cities, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill (No. 1268, Rec. No. 212) entitled "An act creating the office of county attorney in and for certain counties," having been announced for third reading, Mr. Wilcox moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith amended as follows:

Strike out all of section one and in lieu thereof insert the following:

Section 1. The board of supervisors in each of the counties of Cayuga, Onondaga and Monroe may appoint a county attorney who shall be removable at its pleasure. The term of office of the county attorney so appointed shall be two years, unless sooner removed, and his salary shall be fixed by the board of supervisors and be a county charge. The board of supervisors of each of such counties may, by local law, prescribe the duties of the county attorney, which duties may include the services to town boards and town officials when not in conflict with the interests of the county. The term of office of the attorney first appointed shall expire December thirty-first, nineteen hundred and eight.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Harte moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 681, Int. No. 590) entitled "An act to empower the commissioners of estimate and appraisal to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York," and that said bill be amended, the title amended to read as follows: "An act to empower the board of assessors to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York," and that said bill be reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Assembly (No. 732, Rec. No. 125), entitled "An act to regulate, fix and prescribe tolls for motor vehicles traveling upon

toll roads and bridges, where such tolls are not otherwise prescribed by law."

(2) Assembly (No. 764, Rec. No. 126), entitled "An act to amend chapter 594 of the Laws of 1899, entitled 'An act authorizing boards of supervisors to acquire the rights, franchises and property of individuals and corporations exacting toll for the use of turnpikes, plank roads and bridges,' in relation to bridges over the Hudson river above Waterford."

(3) Senate (No. 893, Int. No. 745), entitled "An act to amend the Greater New York charter, in relation to the fixing of salaries of members of the supervising and teaching staff of the public schools of the city of New York."

(4) Senate (No. 761, Int. No. 177), entitled "An act to amend the Greater New York charter by enacting a new section to be known as section 823-e, relative to the acquirement of certain water front property between Montgomery street and East Sixteenth street, on the East river, borough of Manhattan, city of New York."

(5) Senate (No. 935, Int. No. 306), entitled "An act to amend section 58 of chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws, as amended by chapter 539 of the Laws of 1899, and by chapter 380 of the Laws of 1906,' in relation to the appointment of special policemen."

(6) Senate (No. 432, Int. No. 384), entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to inquire into, audit and allow the claim of the Brooklyn Heights Railroad Company for work, labor, material and supplies furnished under the request, order or direction of the bridge department of the city of New York."

(7) Senate (No. 576, Int. No. 495), entitled "An act to amend chapter 109 of the Laws of 1897, entitled 'An act to extend the time for the Davenport, Middleburg and Durham Railroad Company to begin the construction of its road and expend thereon 10 per cent. and finish and put the same in operation,' as amended by chapter 141 of the Laws of 1902, by further extension of time."

(8) Senate (No. 590, Int. No. 509), entitled "An act to amend the Greater New York charter, relative to the apportionment of taxes on undivided parcels of real estate."

(9) Senate (No. 642, Int. No. 552), entitled "An act to provide for the payment of the claim of James Shewan & Sons, for work, labor and services or materials and supplies furnished for the repairs to the city ferry boats, under order or direction of the department of docks and ferries of the city of New York."

(10) Senate (No. 830, Int. No. 694), entitled "An act to amend the Greater New York charter, in relation to the presentation of claims against the city."

(11) Assembly (No. 248, Rec. No. 91), entitled "An act to provide for the pension of Mary Hedeman, mother of Patrolman William Hedeman, deceased."

(12) Assembly (No. 575, Senate reprint No. 899, Rec. No. 38), entitled "An act to provide an additional appropriation for common schools and authorizing the apportionment of district quotas to be made in accordance with the provisions of chapter 698 of the Laws of 1906."

(13) Assembly (No. 767, Rec. No. 77), entitled "An act to release to the trustees of the Lewiston High School Academy all right, title and interest of the State to certain lands in the village of Lewiston, Niagara county."

(14) Assembly (No. 912, Senate reprint No. 900, Rec. No. 123), entitled "An act to amend the Code of Civil Procedure, relative to the allowance made by supervisors to grand and trial jurors in certain counties."

(15) Assembly (No. 961, Rec. No. 161), entitled "An act to amend the Greater New York charter, in relation to the disposition of horses used in the fire, police and street cleaning departments."

(16) Assembly (No. 1375, Senate reprint No. 901, Rec. No. 208), entitled "An act to amend the Code of Civil Procedure, relative to the compensation of deputy sheriffs and constables attending courts in Richmond county."

(17) Senate (No. 155, Int. No. 151), entitled "An act in relation to the Medical Society of the State of New York."

(18) Senate (No. 383, Int. No. 343), entitled "An act to amend chapter 120 of the Laws of 1881, entitled 'An act concerning certain records in the office of the Secretary of State and of the Comptroller,' relative to filing certain election returns and files in the State library."

(19) Senate (No. 464, Int. No. 410), entitled "An act to amend the Banking Law, in relation to the superintendent taking possession of individual banker's property and giving notice thereof and forbidding subsequent payments and clearances."

(20) Senate (No. 611, Int. No. 526), entitled "An act to amend chapter 64 of the Laws of 1854, entitled 'An act to incorporate the Saratoga Lake Bridge Company.'"

(21) Senate (No. 571, Int. No. 490), entitled "An act to amend title 15 of the Consolidated School Law by providing for courses of study in and the inspection and supervision of schools or classes in charitable and penal institutions."

(22) Senate (No. 648, Int. No. 559), entitled "An act, to legalize, ratify and confirm an agreement between the United Traction company, a domestic corporation, and the county of Albany, relative to the discontinuance of certain toll charges by said company, on certain lands owned by said company and used as a turnpike, and providing for the repair, improvement and maintenance thereof."

(23) Senate (No. 702, Int. No. 592), entitled "An act to amend section 17 of chapter 378; Laws of 1892, known as the University Law relative to the use of the State library."

(24) Senate (No. 740, Int. No. 624), entitled "An act empowering Union Free School district No. 1, of the town of White Plains, New York, to acquire land for the purpose of an athletic field."

(25) Senate (No. 881, Int. No. 599), entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures."

(26) Senate (No. 743, Int. No. 628), entitled "An act to amend subdivision 7 of section 2 of chapter 174 of the Laws of 1903, entitled 'An act to amend chapter 554 of the Laws of 1899, entitled "An act to establish a police pension fund for the city of Albany, relative to an increase of the same."'"

(27) Senate (No. 770, Int. No. 654), entitled "An act to amend the County Law in relation to the custody and care of minors in county jails."

(28) Senate (No. 799, Int. No. 671), entitled "An act in

relation to furnishing free text books to the pupils of the public schools of the city of Schenectady, at the expense of said city."

(29) Senate (No. 903, Int. No. 684), entitled "An act exempting the bonds of Erie county from taxation."

(30) Senate (No. 813, Int. No. 685), entitled "An act to enable the board of education of the Methodist Episcopal church to transfer its property to 'The board of education, Freedman's aid and Sunday schools of the Methodist Episcopal church.'"

(31) Assembly (No. 367, Senate reprint No. 927, Rec. No. 37), entitled "An act to amend chapter 306 of the Laws of 1899, entitled 'An act to confirm, reduce, levy and provide for the collection by the city of Rensselaer as the successor of the village of Greenbush of certain assessments made by the village of Greenbush and to confirm the proceeding had with reference thereto and the issue of bonds thereon,' in relation to the collection of unpaid street paving assessments."

(32) Assembly (No. 380, Rec. No. 56), entitled "An act to amend the Highway Law, in relation to poll taxes in towns under the money system."

(33) Assembly (No. 1048, Rec. No. 144), entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9 in the town of Pomfret, a Union Free School district,' in relation to salary of secretary and assistant secretary."

(34) Assembly (No. 1038, Senate reprint No. 928, Rec. No. 139), entitled "An act to repeal chapter 682 of the Laws of 1894, entitled 'An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery.'"

(35) Assembly (No. 777, Rec. No. 166), entitled "An act to create two common school districts out of common school district No. 15 of the town of Catskill, Greene county, New York."

(36) Assembly (No. 494, Rec. No. 168), entitled "An act to incorporate 'The Queens Borough Public Library' and to permit libraries in the borough of Queens in the city of New York, to convey their property thereto, and limiting and defining the powers thereof."

(37) Assembly (No. 843, Rec. No. 175), entitled "An act to authorize the board of supervisors of Onondaga county to dispose of certain real property no longer required for county purposes."

(38) Assembly (No. 678, Rec. No. 178), entitled "An act to amend chapter 392 of the Laws of 1896, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of certain employees in the jail in said county,' in relation to salary of jailor."

(39) Assembly (No. 839, Senate reprint No. 926, Rec. No. 185), entitled "An act to amend chapter 233 of the Laws of 1884, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga, and for post mortem examinations in coroners' cases in said county.'"

(40) Assembly (No. 1226, Rec. No. 203), entitled "An act to amend the General Corporation Law, in relation to corporate names."

(41) Assembly (No. 1378, Rec. No. 209), entitled "An act to amend the Consolidated School Law, relative to school record certificates required under the Compulsory Education Law."

(42) Assembly (No. 1333, Rec. No. 217), entitled "An act authorizing the board of supervisors of Chautauqua county to declare the office of county clerk of such county a salaried office and to fix and determine the amount of compensation and regulating the management of such office."

(43) Assembly (No. 1259, Rec. No. 220), entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the election, constituting chapter 6 of the general laws,' relating to the filling of vacancies in elective offices."

(44) Assembly (No. 1281, Rec. No. 227), entitled "An act to authorize the city of Jamestown to receive contributions for certain purposes, and to determine the manner of collecting the same."

(45) Assembly (No. 1460, Rec. No. 273), entitled "An act to amend the County Law, relative to salaries of the county judge and the surrogate in certain counties."

(46) Assembly (No. 1458, Rec. No. 274), entitled "An act to amend chapter 20 of the Laws of 1906, entitled 'An act creating the office of purchasing agent for the county of Onondaga, and prescribing his powers and duties.'"

(47) Senate (No. 934, Int. No. 361), entitled "An act to amend the Tax Law, in regard to taxation of State lands in towns of Dannemora and Altona, in Clinton county."

After some time spent therein, the President resumed the chair, and Mr. Carpenter, from said committee, reported in favor of the passage of the above-named bills, the twelfth and eighteenth-named bills with amendments, which report was agreed to, and said bills ordered to a third reading.

The Assembly returned the Senate bill (No. 488, Int. No. 434) entitled "An act to amend section 188 of chapter 20 of the Laws of 1900, entitled 'An act for the protection of the forests, fish and game of the State, constituting chapter 31 of the general laws.'"

Also, Senate bill (No. 250, Int. No. 238) entitled "An act to amend chapter 365 of the Laws of 1894, entitled 'An act to provide for indexing and reindexing conveyances, mortgages and other instruments relating to lands and liens thereon in the county of Kings.'"

Also, Senate bill (No. 306, Int. No. 283) entitled "An act to amend the Tax Law, relative to a seal for the State Board of Tax Commissioners."

Also, Senate bill (No. 428, Int. No. 257) entitled "An act to amend section 202 of the Tax Law, to relieve local assessors from the duty of assessing property of trust companies which is not locally taxable."

Also, Senate bill (No. 370, Int. No. 327) entitled "An act to amend section 31 of the Forest, Fish and Game Law being section 31 of the general law as amended with respect to the closed season on Mongolian ring-necked and English pheasants in the county of Dutchess."

Also, Senate bill (No. 470, Int. No. 417) entitled "An act to amend chapter 272 of the Laws of 1830, entitled 'An act to incorporate the Canterbury Fire Company,' and the several acts amendatory thereof, in relation to the purposes of said corporation, and increasing the membership thereof."

Also, Senate bill (No. 239, Int. No. 230) entitled "An act to amend chapter 294 of the Laws of 1904, entitled 'An act to make the office of sheriff of Orleans county a salaried one, in part,

and to regulate the management thereof,' in relation to salary of under sheriff."

Also, Senate bill (No. 595, Int. No. 514) entitled "An act to amend the Village Law, relative to lighting certain streets and roads in subdivisions of, villages," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Senate bill (No. 504, Int. No. 34) entitled "An act to amend section 1092 of the Greater New York charter, in relation to the public school teachers' retirement fund," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 529, Int. No. 462) entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York to refund assessments made upon property for acquiring title to East River park, bounded by Eighty-sixth street, East river and Avenue B in the city of New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 507, Int. No. 236) entitled "An act to provide for the payment of the claim of John M. Phillips for work and material furnished the bureau of highways of the borough of Queens, the city of New York, during the year 1903," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 127, Int. No. 125) entitled "An act to amend the Greater New York charter, relative to the salary of the clerk of the children's court, second division,

borough of Brooklyn," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, MARCH 26, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. E. R. Allen.

The journal of yesterday was read and approved.

Mr. McCarren introduced a bill (Int. No. 785) entitled "An act to authorize the justices of the Supreme Court in the Second Judicial Department to appoint a typewriter operator, and to provide for the compensation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Grady introduced a bill (Int. No. 786) entitled "An act to amend the Greater New York charter, relative to the protection of the grounds and property of educational institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 787) entitled "An act to incorporate 'Trustees of Associate Marine Charities of New York,' and to make an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Carpenter introduced a bill (Int. No. 788) entitled "An act to authorize the city of New Rochelle to borrow money by the issue of bonds for the purpose of meeting deficiencies in the funds of said city," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 789) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 790) entitled "An act to authorize the city of New Rochelle to pay interest on its bonds at a rate not exceeding 5 per centum per annum," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Ackroyd introduced a bill (Int. No. 791) entitled "An act to authorize the city of Utica to borrow money for the purpose of erecting and equipping a new fire station in the Twelfth ward of the city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Davis, on behalf of Mr. Hill, introduced a bill (Int. No. 792) entitled "An act to amend section 201 of the Insurance Law, in relation to the designation of beneficiaries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill (Int. No. 793) entitled "An act authorizing the city of Buffalo to borrow money by bond issues for the purpose of refunding to corporations sums paid by them to said city, as taxes upon their special franchises, in excess of what such taxes would have been if the assessments had been made as determined by final orders in certiorari proceedings to review such assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Thompson introduced a bill (Int. No. 794) entitled "An act to amend the Penal Code, in relation to Sunday base ball in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Gilchrist introduced a bill (Int. No. 795) entitled "An act to amend chapter 565 of the Laws of 1890, entitled 'An act in

relation to railroads, constituting chapter 39 of the general laws, relating to rates of fares," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Cohalan introduced a bill (Int. No. 796) entitled "An act to amend the Greater New York charter, in relation to highway laborers in the borough of the Bronx," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grady introduced a bill (Int. No. 797) entitled "An act to amend sections 60 and 61 of chapter 566, Laws of 1890, known as 'the Transportation Corporations Law,' as amended," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

Mr. Page introduced a bill (Int. No. 798) entitled "An act to amend the Code of Criminal Procedure, providing for the selection of a special grand jury for the Court of General Sessions of the county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

The Assembly sent for concurrence the bill (No. 1597, Rec. No. 330) entitled "An act to amend the Penal Code, relative to bootblacks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 62, Rec. No. 331) entitled "An act to amend the Penal Code, relative to punishment for murder in the second degree," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 826, Rec. No. 332) entitled "An act to legalize and confirm the printing and publication of certain advertisements, notices and proceedings of officers, boards and departments of the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 740, Rec. No. 333) entitled "An act to au-

thorize the Comptroller of the State to hear and determine an application of Everett R. Walker for cancellation of tax sales of land situated in the town of Bleeker, county of Fulton, for unpaid taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 880, Int. No. 551) entitled "An act to amend section 881 of the Code of Civil Procedure, relative to the reading in evidence of a deposition of a party, now deceased, in an action brought by decedent's executor or administrator."

The Assembly bill (No. 843, Rec. No. 175) entitled "An act to authorize the board of supervisors of Onondaga county to dispose of certain real property no longer required for county purposes," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McManus | Sohmer |
| Agnew | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hooker | Raines | Tully |
| Cassidy | Frawley | Knapp | Ramsperger | Wemple |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | McCarren | Smith | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 494, Rec. No. 168) entitled "An act to incorporate 'The Queens Borough Public Library' and to permit libraries in the borough of Queens of the city of New York to convey their property thereto, and limiting and defining the powers thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 878, Rec. No. 178) entitled "An act to amend chapter 392 of the Laws of 1896, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of certain employees in the jail of said county,' in relation to salary of jailor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1460, Rec. No. 273) entitled "An act to amend the County Law, relative to salaries of the county judge and the surrogate in certain counties," was read the third time.

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1458, Rec. No. 274) entitled "An act to amend chapter 20 of the Laws of 1906, entitled 'An act creating the office of purchasing agent for the county of Onondaga, and prescribing his powers and duties,'" was read the third time.

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1226, Rec. No. 203) entitled "An act to amend the General Corporation Law, in relation to corporate names," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

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The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

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The Assembly bill (No. 1281, Rec. No. 227) entitled "An act to authorize the city of Jamestown to receive contributions for certain purposes, and to determine the manner of collecting the same," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

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| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hooker | Raines | Tully |
| Cassidy | Frawley | Knapp | Ramsperger | Wemple |
| Cobb | Fuller | McCall | Saxe | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1259, Rec. No. 220) entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' relating to the filling of vacancies in elective offices," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

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45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1048, Rec. No. 144) entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9 in the town of Pomfret a union free school district,' in relation to salary of secretary and assistant secretary," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cullen | Grady | McManus | Sohmer |
| Agnew | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |

| | | | | |
|-----------|-----------|----------|------------|--------|
| Carpenter | Franchot | Hooker | Raines | Tully |
| Cassidy | Frawley | Knapp | Ramsperger | Wemple |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | McCarren | Smith | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 777, Rec. No. 166) entitled "An act to create two common school districts out of common school district No. 15 of the town of Catskill, Greene county, N. Y.," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Aakroyd | Cullen | Grady | McManus | Sohmer |
| Agnew | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenfug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hooker | Raines | Tully |
| Cassidy | Frawley | Knapp | Ramsperger | Wemple |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | McCarren | Smith | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 380, Rec. No. 56) entitled "An act to amend the Highway Law, in relation to poll taxes in towns under the money system," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|----------|----------|----------|
| Aakroyd | Cullen | Grady | McManus | Sohmer |
| Agnew | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenfug | Owens | Thompson |

| | | | | |
|-----------|-----------|----------|------------|--------|
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hooker | Raines | Tully |
| Cassidy | Frawley | Knapp | Ramsperger | Wemple |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | McCarren | Smith | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 961, Rec. No. 161) entitled "An act to amend the Greater New York charter, in relation to the disposition of horses used in the fire, police and street cleaning departments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Ackroyd | Cullen | Grattan | Mullaney | Sohmer |
| Agnew | Davis | Harte | O'Neil | Sullivan |
| Armstrong | Emerson | Hasenfug | Owens | Taylor |
| Boyce | Fancher | Heacock | Page | Thompson |
| Burr | Foelker | Hooker | Raines | Travis |
| Carpenter | Franchot | Knapp | Ramsperger | Tully |
| Cassidy | Fuller | McCall | Saxe | Wemple |
| Cobb | Gilchrist | McCarren | Smith | Wilcox |
| Cordts | Grady | McManus | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 767, Rec. No. 47) entitled "An act to release to the trustees of the Lewiston High School Academy all right, title and interest of the State to certain lands in the village of Lewiston, Niagara county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grattan | Mullaney | Sohmer |
| Agnew | Davis | Harte | O'Neil | Sullivan |
| Armstrong | Emerson | Hasenflug | Owens | Taylor |
| Boyce | Fancher | Heacock | Page | Thompson |
| Burr | Foelker | Hooker | Raines | Travis |
| Carpenter | Franchot | Knapp | Ramsperger | Tully |
| Cassidy | Fuller | McCall | Saxe | Wemple |
| Cobb | Gilchrist | McCarren | Smith | Wilcox |
| Cordts | Grady | McManus | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 248, Rec. No. 91) entitled "An act to provide for the pensioning of Mary Hedeman, mother of Patrolman William Hedeman, deceased," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McManus | Sohmer |
| Agnew | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hooker | Raines | Tully |
| Cassidy | Frawley | Knapp | Ramsperger | Wemple |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | McCarren | Smith | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 764, Rec. No. 126) entitled "An act to amend chapter 594 of the Laws of 1899, entitled 'An act authorizing boards of supervisors to acquire the rights, franchises and property of individuals and corporations exacting toll for the use of turnpikes, plank roads and bridges,' in relation to bridges over the Hudson river above Waterford," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grattan | Mullaney | Sohmer |
| Agnew | Davis | Harte | O'Neil | Sullivan |
| Armstrong | Emerson | Hasenflug | Owens | Taylor |
| Boyce | Fancher | Heacock | Page | Thompson |
| Burr | Foelker | Hooker | Raines | Travis |
| Carpenter | Franchot | Knapp | Ramsperger | Tully |
| Cassidy | Fuller | McCall | Saxe | Wemple |
| Cobb | Gilchrist | McCarren | Smith | Wileox |
| Cordts | Grady | McManus | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 732, Rec. No. 125) entitled "An act to regulate, fix and prescribe tolls for motor vehicles traveling upon toll roads and bridges, where such tolls are not otherwise prescribed by law," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grattan | Mullaney | Sohmer |
| Agnew | Davis | Harte | O'Neil | Sullivan |
| Armstrong | Emerson | Hasenflug | Owens | Taylor |
| Boyce | Fancher | Heacock | Page | Thompson |
| Burr | Foelker | Hooker | Raines | Travis |
| Carpenter | Franchot | Knapp | Ramsperger | Tully |
| Cassidy | Fuller | McCall | Saxe | Wemple |
| Cobb | Gilchrist | McCarren | Smith | Wileox |
| Cordts | Grady | McManus | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 880, Rec. No. 551) entitled "An act to amend section 881 of the Code of Civil Procedure, relative to the reading in evidence of the deposition of a party, now deceased, in an action brought by decedent's executor or administrator," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Davis | Harte | Mullaney | Schnier |
| Agnew | Emerson | Hasenflug | O'Neil | Sullivan |
| Armstrong | Fancher | Heacock | Owens | Taylor |
| Boyce | Foelker | Hooker | Page | Thompson |
| Burr | Franchot | Knapp | Raines | Travis |
| Carpenter | Fuller | McCall | Ramsperger | Tully |
| Cassidy | Gilchrist | McCarren | Saxe | Wemple |
| Cordts | Grady | McManus | Smith | Wilcox |
| Cullen | Grattan | | | |

42

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 893, Int. No. 745) entitled "An act to amend the Greater New York charter, in relation to the fixing of the salaries of members of the supervising and teaching staff of the public schools of the city of New York," having been announced for third reading, Mr. McCarren moved that said bill be recommitted to the committee on affairs of cities for a hearing, retaining its place on the order of third reading.

Mr. Grady moved to amend said motion that said bill be recommitted to the committee on affairs of cities for a hearing to be held to-day, and that said bill be reported back to the Senate to-morrow.

The President put the question whether the Senate would agree to said motion of Mr. Grady, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. McCarren, as amended, and it was decided in the affirmative.

The Senate bill (No. 569, Int. No. 488) entitled "An act to amend the Penal Code, relative to ticket speculators," having been announced for third reading, Mr. Hooker moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, lines 3 and 4, after the word "thereof" strike out balance of line and all of line 4.

Page 2, line 5, strike out the words "place in the vicinity thereof"; also strike out the figures "384-c" and insert the figures "383-c".

Page 1, line 10, strike out the figures "384-d" and insert the figures "383-d".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted.

Mr. Grady then moved that said bill as amended be recommitted to the committee on codes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|---------|-----------|-----------|------------|----------|
| Ackroyd | Foelker | Harte | Owens | Taylor |
| Boyce | Frawley | Hasenflug | Page | Thompson |
| Cobb | Fuller | McCall | Ramsperger | Tully |
| Cohalan | Gilchrist | McCarren | Sohmer | Wilcox |
| Cullen | Grady | McManus | Sullivan | |
| | | | | 24 |

FOR THE NEGATIVE.

| | | | | |
|---------|----------|---------|--------|-------|
| Agnew | Davis | Heacock | O'Neil | Saxe |
| Burr | Franchot | Hooker | Raines | Smith |
| Cassidy | Grattan | Knapp | | |
| | | | | 13 |

The Assembly bill (No. 818, Rec. No. 317) entitled "An act to provide for the erection and furnishing of a new court house in the city of Hudson for the use of the county of Columbia, and to provide means to defray the expense thereof, and to sell or dispose of the ruins of the former court house situate in Hudson," having been announced for third reading, Mr. Smith moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Page 5, line 6, strike out the word "biddor" and insert the word "bidder".

Page 8, line 17, after the word "sum" insert the words "or sums".

Page 11, line 13, strike out the word "sale" and insert the word "same".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Harte moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 727, Int.

No. 611) entitled "An act to regulate and equalize the salaries of electrical inspectors in the department of water supply, gas and electricity in the city of New York," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Page moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 737, Int. No. 621) entitled "An act to amend the Labor Law, relative to the issuance of employment certificates for children in factories and mercantile establishments," and that said bill be amended, reprinted and recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Assembly (No. 621, Rec. No. 74), entitled "An act to amend the Forest, Fish and Game Law, in relation to pike."

(2) Assembly (No. 1278, Rec. No. 293), entitled "An act to amend an act, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' in relation to the powers and duties of the commissioner of agriculture."

(3) Assembly (No. 1279, Rec. No. 292), entitled "An act to amend an act entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' in relation to prosecutions for penalties."

(4) Senate (No. 713, Int. No. 603), entitled "An act to amend the Agricultural Law, in relation to the suppression of infectious and contagious diseases of domestic animals."

(5) Assembly (No. 1132, Rec. No. 165), entitled "An act to amend the Railroad Law, relative to motive power of street surface railroads in certain counties."

(6) Assembly (No. 545, Rec. No. 55), entitled "An act to reduce the rate of ferriage on the ferry known as the South Brooklyn or Thirty-ninth street ferry, plying between the foot

of Whitehall street in the borough of Manhattan and Thirty-ninth street in the borough of Brooklyn, and to establish a rate of ferriage thereon."

(7) Assembly (No. 1121, Rec. No. 176), entitled "An act to amend the uniform charter of cities of the second class, relative to salaries of city engineer in certain cities."

(8) Senate (No. 772, Int. No. 656), entitled "An act to amend the Tax Law, in relation to taxable transfers."

After some time spent therein, the President resumed the chair, and Mr. Fuller, from said committee, reported in favor of the passage of the above-named bills, the sixth-named bill with amendments, which report was agreed to, and said bills ordered to a third reading.

The Senate bill (No. 491, Int. No. 437) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' conferring authority upon said city to borrow money temporarily from the banks designated by the common council as depositories in anticipation of the collection of taxes and resources," was returned by the mayor of the city of Buffalo, with a certificate that a public hearing had been duly held on said bill in pursuance of law and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 3, Assembly reprint No. 1126, Int. No. 3) entitled "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' in relation to exempting real estate owned by religious corporations in New York city from all charges, liens and assessments for the use of water," was returned by the mayor of the city of New York, with a certificate that a public hearing had been duly held on said bill in pursuance of law and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 84, Int. No. 84) entitled "An act to authorize the erection of a fire proof children's museum building in the borough of Brooklyn, city of New York, in place of the present building, and the designation or acquisition of a site there-

for, and to provide for the care and maintenance of the same," was returned by the mayor of the city of New York with a certificate that a public hearing had been duly held on said bill in pursuance of law and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 376, Int. No. 333) entitled "An act to amend the charter of the city of Hudson, in relation to the board of education," was returned by the mayor of the city of Hudson with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 634, Int. No. 482) entitled "An act to amend chapter 195 of the Laws of 1906, entitled 'An act to establish and maintain a water department in and for the city of Corning,'" was returned by the mayor of the city of Corning with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the Assembly bill (No. 344, Senate reprint No. 688, Rec. No. 27) entitled "An act to provide for the payment of the balance due newspapers for the publication of concurrent resolutions of the Legislature of 1906, proposing amendments to the Constitution of this State, and for deficiency in appropriation for the publication of other official notices required to be published as provided by law, which are subject to contract."

Also, the Assembly bill (No. 193, Senate reprint No. 690, Rec. No. 26) entitled "An act making an appropriation for the payment of refunds on surrender of liquor tax certificates," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the Senate bill (No. 572, Int. No. 491) entitled "An act to incorporate the Odd Fellows Temple Association of the city of Cohoes, New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, MARCH 27, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. C. W. Heisler.

The journal of yesterday was read and approved.

Mr. Carpenter introduced a bill (Int. No. 799) entitled "An act to amend chapter 646 of the Laws of 1905, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester and to provide means for the payment thereof,' relative to various sections thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Cordts introduced a bill (Int. No. 800) entitled "An act to improve the channel of the Hudson river south from Albany to the deep water at Hudson and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Wemple introduced a bill (Int. No. 801) entitled "An act to amend chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporations, constituting chapter 38 of the general laws,' as amended by chapter 543 of the Laws of 1904 and by chapter 326 of the Laws of 1906, relating to securities guaranty corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Emerson introduced a bill (Int. No. 802) entitled "An act to amend the Navigation Law, relative to the floating of logs or rafts in Lake George," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Heacock introduced a bill (Int. No. 803) entitled "An act to amend chapter 315 of the laws of 1895, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' relative to salaries of policemen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Cobb introduced a bill (Int. No. 804) entitled "An act to amend the Public Health Law, in relation to the payment of expenses of health officers in attending sanitary conferences," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Gates introduced a bill (Int. No. 805) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hinman introduced a bill (Int. No. 806) entitled "An act to establish and maintain a water department in and for the city of Cortland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 807) entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton,' and the several acts amendatory thereof, relative to the appointment of officers and salaries of treasurer and clerk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 808) entitled "An act to amend the charter of the city of Cortland, in relation to conferring on the common council of such city certain additional powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hooker introduced a bill (Int. No. 809) entitled "An act to provide for a commission to inquire into the subject of high-

way improvement and to revise the laws relating thereto and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Armstrong introduced a bill (No. 810) entitled "An act to amend chapter 469 of the Laws of 1906, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making an appropriation therefor,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

On motion of Mr. Armstrong, and by unanimous consent, the committee on finance was discharged from the consideration of said bill, and same was committed to the committee on internal affairs of towns and counties.

Also, a bill (No. 811) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

On motion of Mr. Armstrong, and by unanimous consent, the committee on finance was discharged from the consideration of said bill, and same was referred to the committee on internal affairs of towns and counties.

Mr. Armstrong (on behalf of Mr. Dunn) introduced a bill (Int. No. 812) entitled "An act to amend the Code of Civil Procedure in relation to the municipal court of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 813) entitled "An act to amend the Code of Criminal Procedure, in relation to coroner's juries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 814) entitled "An act constituting the charter of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Agnew introduced a bill (Int. No. 815) entitled "An act to amend subdivision 6 of section 639 of the Penal Code, relative to guide posts and signs erected upon a highway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Grady introduced a bill (No. 816) entitled "An act to confer jurisdiction on the Court of Claims to hear, audit and determine the alleged claim of Ella Nagle against the State of New York for damages alleged to have been sustained by her and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The committee on affairs of cities introduced a bill (Int. No. 817) entitled "An act to amend section 436 of chapter 466 of the Laws of 1901, known as the charter of the city of New York, granting power to the board of estimate and apportionment to reconsider and redetermine the expenses to be paid by the city of New York and property owners thereof, where the cost and expense of an improvement has been assessed by said board of estimate and apportionment," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Dunn introduced a bill (Int. No. 818) entitled "An act to amend the Tax Law, in relation to the taxation of special franchises," which was read the first time, and by unanimous consent was also the second time, and referred to the committee on taxation and retrenchment.

Mr. Fuller introduced a bill (Int. No. 819) entitled "An act to amend section 260 of the Real Property Law, in relation to the authentication of certificates of acknowledgment or proof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on judiciary.

Mr. Cordts introduced a bill (Int. No. 820) entitled "An act to authorize the Comptroller of the State to hear and determine the application of May R. De Silva, for the cancellation of the 1895 tax sale of lot 41, great lots 7 and 10, Darling's first survey, Hardenburgh patent, in the county of Ulster," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McManus introduced a bill (Int. No. 821) entitled "An act to amend the Penal Code, relative to appointment of special officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Cobb introduced a bill (Int. No. 822) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 823) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for grouse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 824) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for woodcock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Burr introduced a bill (Int. No. 825) entitled "An act to amend section 45 of the Forest, Fish and Game Law of the State of New York, as amended by chapter 584 of the Laws of 1904," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

The Assembly sent for concurrence the bill (No. 1305, Rec. No. 334) entitled "An act to repeal section 144 of chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' relative to city streets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1247, Rec. No. 335) entitled "An act to amend chapter 681 of the Laws of 1905, entitled 'An act to supplement the provisions of law relating to the department of finance of the city of Syracuse,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 302, Rec. No. 336) entitled "An act to amend the Consolidated School Law, in relation to State aid for blind pupils in certain institutions, and to make an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1296, Rec. No. 337) entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 736, Rec. No. 338) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against William J. F. Rorke, a policeman of the second grade, for reinstatement in said department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1107, Rec. No. 339) entitled "An act authorizing the fire commissioner of the city of New York to rehear and retry the charges upon which Edward E. Fisher, formerly a fireman in the fire department of said city, was dismissed from said department, and to reinstate him in his former position," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1172, Rec. No. 340) entitled "An act to amend the Greater New York charter, in relation to the qualifications of patrolmen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1175, Rec. No. 341) entitled "An act to amend the Greater New York charter, in relation to qualifications of firemen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1563, Rec. No. 342) entitled "An act relating to the public printing of Clinton county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1469, Rec. No. 343) entitled "An act to provide for the taxation for school purposes of the lands owned by the State, and situate within the boundaries of union free school district No. 1 in the town of Dannemora, Clinton county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 1641, Rec. No. 344) entitled "An act to amend chapter 102 of the Laws of 1904, entitled 'An act to incorporate the Silver Bay Association for Christian Conferences and training,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1640, Rec. No. 345) entitled "An act to amend the Forest, Fish and Game Law, in relation to the sale of trout in Albany, Columbia, Saratoga, Schenectady, Livingston, Franklin, St. Lawrence and Otsego counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 508, Rec. No. 346) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Charles E. Savage, formerly a patrolman of the police department of said city, and to reinstate him in said department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 384, Rec. No. 347) entitled "An act to amend the Real Property Law, relative to discharge of mortgages in counties embraced in cities of the first class," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1418, Rec. No. 348) entitled "An act in relation to furnishing free text books to the pupils of the public

schools of the city of Schenectady, at the expense of said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, said bill was substituted for Senate bill (No. 799, Int. No. 671), now on the order of third reading.

Also, the bill (No. 1122, Rec. No. 349) entitled "An act in relation to employees in the Queens county jail, and fixing their compensation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1642, Rec. No. 350) entitled "An act to amend chapter 194 of the Laws of 1897, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than 150,000 and less than 190,000, and regulating and prescribing his duties,' relative to clerk hire and drawing of jurors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 124, Rec. No. 351) entitled "An act to provide for the construction of a fireproof museum building on the grounds of Washington's headquarters at Newburgh, N. Y., and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1425, Rec. No. 352) entitled "An act to fix the salary of a district attorney of Suffolk county hereafter elected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1073, Rec. No. 353) entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' relative to criminal expenses chargeable to the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1638, Rec. No. 354) entitled "An act to amend chapter 643 of the Laws of 1899, entitled 'An act in re-

lation to the opening of the highway or avenue known as Prospect avenue, in the former town of Flatbush, Kings county, now a part of the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1519, Rec. No. 355) entitled "An act to amend chapter 554 of the Laws of 1899, entitled 'An act to establish a police pension fund for the city of Albany,' relative to excise money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 838, Rec. No. 356) entitled "An act to amend the Highway Law, in relation to the qualified abandonment of highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 247, Rec. No. 357) entitled "An act to amend the Consolidated School Law in relation to the apportionment of State school moneys," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 661, Rec. No. 358) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district No. 7 of the town of Groveland, Livingston county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 1283, Rec. No. 359) entitled "An act for the relief of the town of Forestburgh, in the county of Sullivan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1639, Rec. No. 360) entitled "An act to amend chapter 552 of the Laws of 1875, entitled 'An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie,' relative to commitments to the Salvation Army Rescue Home," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1471, Rec. No. 361) entitled "An act to incorporate Russell Sage Foundation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1448, Rec. No. 362) entitled "An act to provide for protection to animals in transit upon certain ferry boats in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 614, Rec. No. 363) entitled "An act to change the name of the First Baptist Church of Harpersfield, N. Y., to the First Baptist Church of Stamford, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 296, Rec. No. 364) entitled "An act to provide for the payment of the claim of Joseph Fiesel, Jr., for plumbing work and material furnished the board of education of Long Island City during the year 1891," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 535, Rec. No. 365) entitled "An act to amend the Statutory Construction Law, in regard to registers of counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 988, Rec. No. 366) entitled "An act in relation to servers of jury notices in the office of the commissioner of jurors of the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1637, Rec. No. 367) entitled "An act to amend the Primary Election Law, in relation to excepting first class cities from special enrollment and changing date when enrollment books shall be delivered," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 791, Rec. No. 368) entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners, and to define the powers of the consolidated corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1558, Rec. No. 369) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' in relation to the liability of the city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1455, Rec. No. 370) entitled "An act to authorize the city of Oswego to cancel certain assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1397, Rec. No. 371) entitled "An act to amend chapter 823 of the Laws of 1895, entitled 'An act to regulate barbering on Sunday,' in relation to the application of such act to Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1643, Rec. No. 372) entitled "An act to amend the Forest, Fish and Game Law, relative to close season for deer in certain counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 902, Int. No. 548) entitled "An act to amend the Navigation Law, in relation to regattas held on certain waters within the jurisdiction of the State."

Also, Senate bill (No. 761, Int. No. 177) entitled "An act to amend the Greater New York charter by enacting a new section, to be known as section 823-e, relative to the acquirement of certain water front property between Montgomery street and East Sixteenth street, on the East river, borough of Manhattan, city of New York."

Also, Senate bill (No. 432, Int. No. 384) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to inquire into, audit and allow the claim of the Brooklyn Heights Railroad Company for work, labor, services, material and supplies furnished under the request, order or direction of the bridge department of the city of New York."

Also, Senate bill (No. 576, Int. No. 495) entitled "An act to amend chapter 109 of the Laws of 1897, entitled 'An act to extend the time for the Davenport, Middleburgh and Durham Railroad Company to begin the construction of its road and expend thereon 10 per centum of its capital and finish and put the same in operation,' as amended by chapter 141 of the Laws of 1902, by further extension of time."

Also, Senate bill (No. 590, Int. No. 509) entitled "An act to amend the Greater New York charter, relative to the apportionment of taxes on undivided parcels of real estate."

Also, Senate bill (No. 642, Int. No. 552) entitled "An act to provide for the payment of the claim of James Shewan and Sons for work, labor and services or materials and supplies furnished for the repairs to the city ferry boats, under order or direction of the department of docks and ferries of the city of New York."

Also, Senate bill (No. 830, Int. No. 694) entitled "An act to amend the Greater New York charter, in relation to the presentation of claims against the city."

Also, Senate bill (No. 464, Int. No. 410) entitled "An act to amend the Banking Law, in relation to the Superintendent taking possession of banks or individual banker's property and giving notice thereof and forbidding subsequent payments and clearances."

Also, Senate bill (No. 611, Int. No. 526) entitled "An act to amend chapter 64 of the Laws of 1854, entitled 'An act to incorporate the Saratoga Lake Bridge Company.'"

Also, Senate bill (No. 571, Int. No. 490) entitled "An act to amend title 15 of the Consolidated School Law by providing for courses of study in and the inspection and supervision of schools or classes in charitable and penal institutions."

Also, Senate bill (No. 648, Int. No. 559) entitled "An act to

legalize, ratify and confirm an agreement between the United Traction Company, a domestic corporation, and the county of Albany, relative to the discontinuance of certain toll charges by said company on certain lands owned by said company and used as a turnpike, and providing for the repair, improvement and maintenance thereof."

Also, Senate bill (No. 702, Int. No. 592) entitled "An act to amend section 17 of chapter 378, Laws of 1892, known as the University Law, relative to the use of the State Library."

Also, Senate bill (No. 740, Int. No. 624) entitled "An act empowering union free school district No. 1, of the town of White Plains, N. Y., to acquire land for the purpose of an athletic field."

Also, Senate bill (No. 743, Int. No. 628) entitled "An act to amend subdivision 7 of section 2 of chapter 174 of the Laws of 1903, entitled 'An act to amend chapter 554 of the Laws of 1899, entitled "An act to establish a police pension fund for the city of Albany, relative to an increase of the same."'"

Also, Senate bill (No. 799, Int. No. 671) entitled "An act in relation to furnishing free text-books to the pupils of the public schools of the city of Schenectady, at the expense of said city."

Also, Senate bill (No. 903, Int. No. 684) entitled "An act exempting the bonds of Erie county from taxation."

Also, Senate bill (No. 813, Int. No. 685) entitled "An act to enable the board of education of the Methodist Episcopal Church to transfer its property to "The board of education, Freedman's Aid and Sunday schools of the Methodist Episcopal Church."

Also, Senate bill (No. 713, Int. No. 603) entitled "An act to amend the Agricultural Law, in relation to the suppression of infectious and contagious diseases of domestic animals."

Also, Senate bill (No. 772, Int. No. 656) entitled "An act to amend the Tax Law, in relation to taxable transfers."

Also, Assembly bill (No. 912, Senate reprint No. 900, Rec. No. 123) entitled "An act to amend the Code of Civil Procedure, relative to the allowance made by supervisors to grand and trial jurors in certain counties."

Also, Assembly bill (No. 1375, Senate reprint No. 901, Rec. No. 208) entitled "An act to amend the Code of Civil Procedure,

relative to the compensation of deputy sheriffs and constables attending courts in Richmond county."

Mr. Wilcox, from the committee on railroads, to which was referred the Assembly bill introduced by Mr. Miller (No. 1271, Rec. No. 237), entitled "An act to amend the Railroad Law, in relation to the collection of fare on certain electric surface railroads," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wemple (No. 712, Int. No. 602), entitled "An act to establish a retirement fund for pensioning retired school teachers, superintendents, supervisors and heads of high school departments of the public schools of the city of Schenectady, and to regulate the collection, management and disbursement thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cobb (No. 840, Int. No. 704), entitled "An act to provide for a police pension fund for the police force of the city of Watertown," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wemple (No. 673, Int. No. 582), entitled "An act to amend an act, entitled 'An act to amend and consolidate the several acts, relative to the city of Schenectady, relative to city court constables,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grady (No. 409, Int. No. 366), entitled "An act authorizing the audit and allowance of the claim of John J. Scannel against the city of New York for his costs, counsel fees and expenses paid in successfully defending himself against certain indictments filed against him.

during his term of office as fire commissioner in said city," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act authorizing the audit and allowance of the claim of John J. Scannell against the city of New York for his costs, counsel fees and expenses paid in successfully defending himself against certain indictments filed against him during his term of office as fire commissioner in said city," which report was agreed to.

On motion of Mr. Grady, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Wilcox, from the committee on railroads, to which was referred the Assembly bill introduced by Mr. Stratton (No. 1462, Rec. No. 298), entitled "An act to amend the Railroad Law, in relation to motive power of street surface railroads in the counties of Herkimer, Hamilton, Onondaga, Wayne, Madison, and Chenango," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Cordts (No. 519, Int. No. 452), entitled "An act making an appropriation toward rebuilding the State Normal School at New Paltz and authorizing an exchange of sites," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Cordts, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Sohmer (No. 31, Int. No. 31), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the city of New York for assessments affecting property in the city of New York, and directing the comptroller to mark such assessments accordingly," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No.

433, Int. No. 385), entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' in reference to the maintenance and care of public libraries," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No. 118, Int. No. 116), entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to tax leases," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Taylor (No. 913, Int. No. 754), entitled "An act to amend chapter 572 of the Laws of 1902, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 199, Rec. No. 22), entitled "An act to authorize the comptroller of the city of New York, in his discretion, to examine into the facts concerning the services rendered by Hector McNeile as clerk to a coroner of Kings county, and to provide for the payment of such claim," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine into the facts concerning the services rendered by Hector McNeile as clerk to a coroner of Kings county, and to provide for the payment of such claim," which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which

was referred the Assembly bill introduced by Mr. Ralston (No. 1340, Rec. No. 219), entitled "An act authorizing the board of estimate and apportionment of the city of New York to hear, audit, determine and allow the alleged claim of the Narragansett Machine Company for furnishing to the park board of said city goods, wares and merchandise for use in the parks of the city of New York, borough of the Bronx, and to provide payment of such claim," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cullen, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Hastings (No. 1565, Rec. No. 319), entitled "An act to establish a police pension fund for the city of Newburgh," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Fowler (No. 1407, Rec. No. 303), entitled "An act to amend chapter 724 of the Laws of 1905, entitled 'An act to provide for an additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters, and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects,' in relation to clerks stenographers, surveyors and other employees to commissioners," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cordts, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Gray (No. 1589, Rec. No. 306), entitled "An act to amend chapter 87 of the Laws of 1893, entitled 'An act to amend chapter 335 of the Laws of 1868, entitled "An act to incorporate the city of Ogdens-

burg," and the acts amending the same,' in relation to construction of sidewalks and curbing and to provide for the payment thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Foelker (No. 606, Int. No. 521), entitled "An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment," reported the same to the Senate with amendments.

On motion of Mr. White, and by unanimous consent, it was ordered that said bill be printed, and recommitted to the committee on affairs of cities.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. O'Neil (No. 779, Int. No. 649), entitled "An act to establish the city court of the city of Ogdensburg, and relating to the recorder of such city and his court," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hill (No. 864, Int. No. 722), entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter 228 of the Laws of 1901, relating to the repairing of private docks in the city of Buffalo," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hill (No. 755, Int. No. 641), entitled "An act to amend chapter 313 of the Laws of 1906, entitled 'An act to amend chapter 644 of the Laws of 1905, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to ward boundaries,"' relating to the bound-

aries of the Twenty-third and Twenty-fourth wards in said city of Buffalo," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hill (No. 756, Int. No. 642), entitled "An act to amend section 142 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter 707 of the Laws of 1900, in relation to divisions of taxes and assessments," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Taylor (No. 850, Int. No. 627), entitled "An act to revise and amend the charter of the city of Newburgh, being chapter 541 of the Laws of 1865, and the several acts amendatory thereof and supplemental thereto," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Gilchrist (No. 922, Int. No. 763), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments affecting the property of the Euclid Avenue Baptist Church in the borough of Brooklyn, and to declare such property hereafter exempt from such assessments," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gilchrist, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Gilchrist (No. 551, Int. No. 477), entitled "An act to empower the comptroller

of the city of New York to set aside and cancel certain assessments, levied and assessed during the years 1899 and 1900, against certain real property of the Williams Avenue Methodist Episcopal Church in the borough of Brooklyn," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gilchrist, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Grady (No. 168, Int. No. 162), entitled "An act to promote the erection of a memorial of the late Andrew H. Green in the city of New York, and making an appropriation therefor," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to aid in the erection of a memorial to the late Andrew H. Green in the city of New York, and making an appropriation therefor," which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong moved that said bill be recommitted to the committee on finance, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Foelker (No. 498, Int. No. 444), entitled "An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of this State," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Dunn (No. 771, Int. No. 655), entitled "An act to amend section 221 of the Code of Civil Procedure, relative to the salaries of the clerk and deputy clerk of the Appellate Division of the Fourth Department," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Dunn (No. 160, Int. No. 156), entitled "An act to amend chapter 258 of the Laws of 1900, entitled 'An act in relation to the Court of Appeals law library at Rochester,' relative to librarians," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Schoeneck (No. 1376, Rec. No. 221), entitled "An act to amend chapter 675 of the Laws of 1906, entitled 'An act to provide for the reconstruction of the west wing of the coffer dam at the outlet of Skaneateles lake, in the county of Onondaga, and making an appropriation therefor,' relative to reconstruction and improvements," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Carpenter (No. 909, Int. No. 596), entitled "An act to amend an act, entitled 'An act to provide for supplying the village of White Plains with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners for said village,' being chapter 769 of the Laws of 1896," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Cobb (No. 887, Int. No. 739), entitled "An act to amend chapter 834 of the Laws of 1869, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson,' generally," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 1149, Rec. No. 199), entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,' in relation to the powers of the village president in respect to conserving the public health and raising money therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Patton (No. 1075, Rec. No. 314), entitled "An act to authorize the trustees of the village of Kenmore, Erie county, New York, acting as a board of assessors, to levy an annual frontage tax upon lands in said village in front of which water mains have been or may hereafter be extended," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Waters (No. 1329, Rec. No. 223), entitled "An act to amend chapter 623 of the Laws of 1901, entitled 'An act to establish a commission for the maintenance and operation of the municipal electric light plant of the village of Green Island, Albany county, New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. West (No. 931, Rec. No. 263), entitled "An act to amend the Village Law, relative to time when assessment-roll may be inspected," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Harte (No. 656, Int. No. 568) entitled "An act to regulate car service on street surface railroad in the county and borough of Queens," reported in favor

of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Wemple (No. 747, Int. No. 632), entitled "An act to amend the Railroad Law, in relation to the inspection and care of steam locomotives," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Allds (No. 95, Int. No. 95), entitled "An act to amend chapter 468 of the Laws of 1894, as amended by chapter 47 of the Laws of 1897, and as amended by chapter 451 of the Laws of 1906, entitled 'An act to provide for the establishment of a home for the aged and dependent veteran and his wife, veterans' mothers, widows and army nurses, residents of New York,'" reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to amend chapter 468 of the Laws of 1894, entitled 'An act to provide for the establishment of a home for the aged and dependent veteran and his wife, veterans' mothers, widows, and army nurses, residents of New York,'" which report was agreed to.

On motion of Mr. Owens, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Thompson (No. 493, Int. No. 439), entitled "An act to provide for iron gates for the protection of life on streets leading to the Gowanus canal in the borough of Brooklyn in the city of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Thompson, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Harte (No. 878, Int. No. 734), entitled "An act to amend the Greater New York charter, relative to granting of authority to the commissioners of the sinking fund, subject to the approval of the board of estimate and apportionment to exchange lands of the city of New York

no longer required for a public purpose, for the lands of private owners needed for a public purpose lying within the same borough," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Harte, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

The Senate bill (No. 772, Int. No. 656) entitled "An act to amend the Tax Law, in relation to taxable transfers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|------------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | Mullaney | Sullivan |
| Armstrong | Emerson | Grattan | O'Neil | Taylor |
| Boyce | Fancher | Hassenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Smith | Wilcox |
| Cohalan | Gates | | | |

42

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 713, Int. No. 603) entitled "An act to amend the Agricultural Law, in relation to the suppression of infectious and contagious diseases of domestic animals," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|---------|----------|----------|
| Ackroyd | Cobb | Frawley | Mullaney | Taylor |
| Allds | Cohalan | Fuller | O'Neil | Thompson |
| Armstrong | Cordts | Gates | Owens | Travis |

| | | | | |
|-----------|----------|----------|--------|--------|
| Boyes | Emerson | Heacock | Page | Tully |
| Burr | Fancher | Hinman | Smith | Wemple |
| Carpenter | Foelker | Knapp | Schmer | Wilcox |
| Cassidy | Franchot | McCarren | | |

32

FOR THE NEGATIVE.

| | | | |
|-----------|--------|------------|--|
| Gilchrist | Hooker | Ramsperger | |
|-----------|--------|------------|--|

3

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 621, Rec. No. 74) entitled "An act to amend the Forest, Fish and Game Law, in relation to pike," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Schmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1375, Senate reprint No. 901, Rec. No. 208) entitled "An act to amend the Code of Civil Procedure, relative to the compensation of deputy sheriffs and constables attending courts in Richmond county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 912, Senate reprint No. 900, Rec. No. 123) entitled "An act to amend the Code of Civil Procedure, relative to the allowance made by supervisors to grand and trial jurors in certain counties," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 1418, Rec. No. 348) entitled "An act in relation to furnishing free text-books to the pupils of the public schools of the city of Schenectady, at the expense of said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 902, Int. No. 548) entitled "An act to amend the Navigation Law, in relation to regattas held on certain waters within the jurisdiction of the State," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 761, Int. No. 177) entitled "An act to amend the Greater New York charter by enacting a new section, to be known as section 823-e, relative to the acquirement of cer-

tain water-front property between Montgomery street and East Sixteenth street, on the East river, borough of Manhattan, city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 432, Int. No. 384) entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion, to inquire into, audit and allow the claim of the Brooklyn Heights Railroad Company for work, labor, services, material and supplies furnished under the request, order or direction of the bridge department at the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 576, Int. No. 495) entitled "An act to amend chapter 109 of the Laws of 1897, entitled 'An act to extend the time for the Davenport, Middleburgh and Durham Railroad Company to begin the construction of its road and expend thereon ten per centum of its capital and finish and put the same in operation,' as amended by chapter 141 of the Laws of 1902, by further extensions of time," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|------------|------------|----------|
| Ackroyd | Cordts | Gilechrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 642, Int. No. 552) entitled "An act to provide for the payment of the claim of James Shewan & Sons, for work, labor and services or materials and supplies furnished for the repairs to the city ferry boats, under order or direction of the department of docks and ferries of the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 590, Int. No. 509) entitled "An act to amend the Greater New York charter, relative to the apportionment of taxes on undivided parcels of real estate," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 830, Int. No. 694) entitled "An act to amend the Greater New York charter, in relation to the presentation of claims against the city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 611, Int. No. 526) entitled "An act to amend chapter 64 of the Laws of 1854, entitled 'An act to incorporate the Saratoga Lake Bridge Company,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 813, Int. No. 685) entitled "An act to enable the board of education of the Methodist Episcopal Church to transfer its property to 'The board of education, Freedman's aid and Sunday-schools of the Methodist Episcopal Church,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar

legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|------------|------------|----------|
| Ackroyd | Cordts | Gilechrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 743, Int. No. 628), entitled "An act to amend subdivision 7 of section 2 of chapter 174 of the Laws of 1903, entitled 'An act to amend chapter 554 of the Laws of 1899, entitled "An act to establish a police pension fund for the city of Albany," relative to an increase of the same," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|------------|------------|----------|
| Ackroyd | Cordts | Gilechrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 903, Int. No. 684) entitled "An act exempting the bonds of Erie county from taxation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 648, Int. No. 559) entitled "An act to legalize, ratify and confirm an agreement between the United Traction Company, a domestic corporation, and the county of Albany, relative to the discontinuance of certain toll charges by said company, on certain lands owned by said company and used as a turnpike, and providing for the repair, improvement and maintenance thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | |

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Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 702, Int. No. 592) entitled "An act to amend section 17 of chapter 378, Laws of 1892, known as the University Law, relative to the use of the State library," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | 47 |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 740, Int. No. 624) entitled "An act empowering union free school district No. 1, of the town of White Plains, N. Y., to acquire land for the purpose of an athletic field," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Smith |
| Agnew | Cullen | Grady | McCarren | Sohmer |
| Allds | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Harte | O'Neil | Taylor |
| Boyce | Fancher | Hasenflug | Owens | Thompson |
| Burr | Foelker | Heacock | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | | | 47 |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 770, Int. No. 654) entitled "An act to amend the County Law, in relation to the custody and care of minors in county jails," having been announced for third reading, Mr. Hooker moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 7, after the word "change" insert a comma.

Same page, line 14, after the word "except" insert the word "with."

Same page, line 24, strike out the word "hereafter" and insert the word "hereinafter."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 571, Int. No. 490) entitled "An act to amend title 15 of the Consolidated School Law by providing for courses of study in and the inspection and supervision of schools or classes in charitable and penal institutions," having been announced for third reading, Mr. Raines moved that said bill be recommitted to the committee on finance for a hearing, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate bill (No. 508, Int. No. 346) entitled "An act authorizing the board of taxes and assessments in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society," having been announced for third reading, Mr. Grady moved that the committee on affairs of cities be discharged from the further consideration of Assembly bill No. 947 (Rec. No. 149) of same title, and that the said Assembly bill (No. 947) be substituted for the said Senate bill (No. 508), now on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Harte moved that the committee on affairs of cities be discharged from the consideration of Assembly bill (No. 487, Rec. No. 122), entitled "An act to provide for the laying out of a public park or playground in the first ward of the borough of Queens in the city of New York," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Owens moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 231, Int. No. 222), entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' and acts amendatory thereof," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

Assembly (No. 913, Rec. No. 164), entitled "An act to amend the Greater New York charter as re-enacted by chapter 466 of the Laws of 1901, relative to the police department."

After some time spent therein, the President resumed the chair, and Mr. Fancher, from said committee, reported in favor of the passage of the above-named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

The Assembly returned the Assembly bill (No. 769, Senate reprint No. 723, Rec. No. 81) entitled "An act to amend the Highway Law in relation to exempting certain counties from the poll tax," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the Senate (No. 330, Int. No. 301) entitled "An act to amend section 47 of the Greater New York charter (revised), as amended by chapter 629 of the Laws of 1905,

with respect to the powers of the board of aldermen," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 423, Int. No. 370) entitled "An act to amend chapter 530 of the Laws of 1904, entitled 'An act to incorporate the Brooklyn Academy of Music, in the borough of Brooklyn, city of New York,' with respect to its capital stock," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 545, Int. No. 471) entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers," was returned by the mayor of the city of Fulton with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, MARCH 28, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. E. E. Stuckert.

The journal of yesterday was read and approved.

Mr. Burr introduced a bill (Int. No. 826) entitled "An act to repeal chapter 133 of the Laws of 1902, entitled 'An act to provide for the election and to prescribe the terms and compensation of the town trustees of the town of Southampton, in the county of Suffolk and legalizing payment of compensation to the present

and former trustees,'” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. McCall introduced a bill (Int. No. 827) entitled “An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of David L. Hough for services as appraiser in the action of Consolidated Gas Company against the commissioners of gas and electricity and others,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Owens introduced a bill (Int. No. 828) entitled “An act for preventing the manufacture, sale or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines and liquors, and for regulating traffic therein, and for other purposes,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Cohalan introduced a bill (Int. No. 829) entitled “An act for the relief of John Holzer, a retired policeman of the city of New York,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 830) entitled “An act to provide for laying out, constructing and maintaining a public park in the town of Rye, county of Westchester, and for the acquisition of lands and property for that purpose by the said town of Rye, and to provide for the payment thereof,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. O'Neil introduced a bill (Int. No. 831) entitled “An act to release to Sophie Demers, widow of Joseph Demers, all the right, title and interest of the people of the State of New York in and to certain real estate situated in the town of Altamont, county of Franklin and State of New York, acquired by escheat or otherwise on the death of said Joseph Demers,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Franchot introduced a bill (Int. No. 832) entitled "An act authorizing the city of Lockport to raise money to pay and satisfy a final judgment, and to settle a cause of action existing against the city of Lockport, the result of personal injuries sustained by Edward Moore on account of the negligence of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Davis introduced a bill (Int. No. 833) entitled "An act to amend chapter 308 of the Laws of 1903, entitled 'An act to regulate the junk business, and to require a person engaging in such business to procure a license,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Knapp introduced a concurrent resolution (Int. No. 834), in the words following:

"Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the constitution.

Section 1. Resolved (if the Assembly concur), That section seven of article seven be amended to read as follows:

7. Forest preserve.—The lands of the state, now owned or hereafter acquired, constituting the forest preserve as now fixed by law, shall be forever kept as wild forest lands, except as hereafter provided. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed. The legislature may authorize the sale of lands outside of the limits of the Adirondack park and the Catskill park as such parks are now established by law. The proceeds of such sales shall be set apart in a separate fund and used only for the purchase of lands in such parks. A violation of this section may be restrained at the suit of the people or with the consent of the supreme court on notice to the attorney-general at the suit of any citizen of the state.

2. Resolved (if the Assembly concur), that the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and in conformity with section one of article fourteen of the constitution, be published for three months previous to the time of such election."

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gilchrist introduced a bill (Int. No. 835) entitled "An act to amend the Primary Election Law, in relation to direct nominations and to provide for the expense thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Cobb introduced a bill (Int. No. 836) entitled "An act to amend section 12 of the Forest, Fish and Game Law, as amended by section 2 of chapter 580 of the Laws of 1904," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 837) entitled "An act to amend the Forest, Fish and Game Law, in relation to the annual compilation of the law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Allds introduced a bill (Int. No. 838) entitled "An act to amend the Election Law, relative to division and alteration of election districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Travis introduced a bill (Int. No. 839) entitled "An act to change the name of the 'Bushwick Avenue Methodist Episcopal Church' to the 'Bushwick Avenue Central Methodist Episcopal Church,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence the bill (No. 1678, Rec. No. 373) entitled "An act to amend the Labor Law, relative to providing washrooms in foundries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1680, Rec. No. 374) entitled "An act to amend the Penal Code, relating to wilful or malicious injury to certain articles in public libraries, galleries, museums and collections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1677, Rec. No. 375) entitled "An act to legalize the meeting of Webster Rural Cemetery Association of Webster, Monroe county, N. Y., held on the 5th day of February, 1907, and the election of directors thereat, as well as the acts of said directors thereunder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1679, Rec. No. 376) entitled "An act to amend the Public Health Law, in relation to the sale of certain articles by merchants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, the bill (No. 1533, Rec. No. 377) entitled "An act to amend the Penal Code, relative to expenditures at elections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1676, Rec. No. 378) entitled "An act to amend the Lien Law, relative to publishing notice of sale of personal property to satisfy a lien," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Agnew, from the committee on engrossed bills, reported as correctly printed and engrossed the Senate bill (No. 932, Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, N. Y."

Also, Senate bill (No. 931, Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, N. Y."

Also, Senate bill (No. 936, Int. No. 98) entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new courthouse in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof, and to sell the present courthouse and site and the county clerk's office and site, situate in Utica,' as amended by chapter 132 of the Laws of 1905."

Also, Senate bill (No. 881, Int. No. 599) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures."

Also, Senate bill (No. 934, Int. No. 361) entitled "An act to amend the Tax Law, in regard to taxation of State lands in towns of Dannemora and Altona, in Clinton county."

Also, Senate bill (No. 433, Int. No. 385) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' in reference to the maintenance and care of public libraries."

Also, Senate bill (No. 551, Int. No. 477) entitled "An act to empower the comptroller of the city of New York to set aside and cancel certain assessments levied and assessed during the years 1899 and 1900 against certain real property of the Williams Avenue Methodist Episcopal Church in the borough of Brooklyn."

Also, Senate bill (No. 755, Int. No. 641) entitled "An act to amend chapter 313 of the Laws of 1906, entitled 'An act to amend chapter 644 of the Laws of 1905, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to ward boundaries,"' relating to the boundaries of the Twenty-third and Twenty-fourth wards in said city of Buffalo."

Also, Senate bill (No. 840, Int. No. 704) entitled "An act to provide for a police pension fund for the police force of the city of Watertown."

Also, Senate bill (No. 864, Int. No. 722) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter 228 of the Laws of 1901, relating to the repairing of private docks in the city of Buffalo."

Also, Senate bill (No. 922, Int. No. 763) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments affecting the property of the Euclid Avenue Baptist Church in the borough of Brooklyn, and to declare such property hereafter exempt from such assessments."

Also, Senate bill (No. 493, Int. No. 439) entitled "An act to provide for iron gates for the protection of life on streets leading to the Gowanus canal in the borough of Brooklyn in the city of New York."

Also, Assembly bill (No. 1047, Senate reprint No. 929, Rec.

No. 186) entitled "An act to amend chapter 309 of the Laws of 1902, entitled 'An act to provide a purchasing agent for the county of Monroe and to repeal certain existing provisions of law relative thereto,' relative to salary of stenographer of purchasing agent and powers and duties of such purchasing agent."

Also, Assembly bill (No. 887, Senate reprint No. 930, Rec. No. 191) entitled "An act to legalize and confirm the organization and existence of common school district No. 9 of the towns of Sweden and Clarkson and to legalize and confirm all proceedings of the board of trustees and legal voters of such common school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district."

Also, Assembly bill (No. 367, Senate reprint No. 927, Rec. No. 37) entitled "An act to amend chapter 306 of the Laws of 1899, entitled 'An act to confirm, reduce, levy and provide for the collection by the city of Rensselaer as the successor of the village of Greenbush of certain assessments made by the village of Greenbush and to confirm the proceedings had with reference thereto and the issue of bonds thereon,' in relation to the collection of unpaid street paving assessments."

Also, Assembly bill (No. 1038, Senate reprint No. 928, Rec. No. 139) entitled "An act to repeal chapter 682 of the Laws of 1894, entitled 'An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery.'"

Also, Assembly bill (No. 839, Senate reprint No. 926, Rec. No. 185) entitled "An act to amend chapter 233 of the Laws of 1884, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga, and for post-mortem examinations in coroners' cases in said county.'"

Also, Senate bill (No. 937, Int. No. 322) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing with nets in Hudson and Delaware rivers and adjacent waters."

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Lupton (No. 847, Rec. No. 116), entitled "An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the

construction, maintenance, regulation, preservation and shading of sidepaths in Suffolk county," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. C. Smith (No. 662, Rec. No. 194), entitled "An act to amend chapter 766 of the Laws of 1897, entitled 'An act to abolish fine and imprisonment for non-payment of taxes' relative to poll taxes levied for highway purposes," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Heacock, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Carpenter (No. 765, Int. No. 648), entitled "An act to create and establish the office of commissioner of elections in the county of Westchester, and prescribing his duties," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Hinman (No. 678, Int. No. 587), entitled "An act to provide for raising money for celebrating in 1908 the one hundredth anniversary of the formation of the county of Cortland, and for establishing and correcting the historical and other public records of the county and of the several towns, cities and villages therein," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Burr (No. 956, Int. No. 783), entitled "An act to confer certain powers on the board of supervisors and treasurer of the county of Suffolk in respect to taxes and to validate certain compromises of taxes heretofore made by such board," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Burr, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Norton (No. 1042, Rec. No. 137), entitled "An act to amend the Highway Law, in relation to cutting and destroying weeds, briars and brush in the highways," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Young (No. 1595, Rec. No. 329), entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the compensation of the deputy clerks, assistant clerk, record clerks and attendants of the Court of General Sessions of the Peace in and for the county of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Feth (No. 848, Rec. No. 143), entitled "An act to amend chapter 705 of the Laws of 1901, entitled 'An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office,' generally," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Agnew (No. 620, Int. No. 411), entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Raines (No. 951, Int. No. 778), entitled "An act for the relief of the county of Ontario, relative to the collection of uncollected taxes therein of the years 1898, 1899, 1900, 1901, 1902, 1903, 1904 and 1905, and empowering and directing the county treasurer thereof to collect such taxes by advertisement and sale of lands upon which the same were assessed," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Gates, from the committee on banks, to which was referred the Assembly bill introduced by Mr. Wells (No. 1272, Rec. No. 242), entitled "An act to regulate the taking of deposits by certain persons, firms and corporations," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Agnew, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Garbe (No. 1122, Rec. No. 349), entitled "An act in relation to employees in the Queens county jail, and fixing their compensation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Patton (No. 927, Rec. No. 193), entitled "An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of this State," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, said bill was substituted for Senate bill (No. 1016, Int. No. 444), now on the order of third reading.

Leave of absence was granted to Messrs. White, Wilcox and Hill until Monday.

The Senate bill (No. 933, Int. No. 571) entitled "An act pro-

hibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Hinman | Ramsperger |
| Agnew | Cordts | Fuller | Hooker | Saxe |
| Alide | Cullen | Gates | Knapp | Smith |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McCarren | Taylor |
| Burr | Emerson | Grattan | O'Neil | Tully |
| Carpenter | Fancher | Harte | Owens | Wemple |
| Cassidy | Foelker | Hasenflug | Page | Wilcox |
| Cobb | Franchot | Heacock | Raines | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 937, Int. No. 322) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing with nets in Hudson and Delaware rivers and adjacent waters," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cordts | Fuller | Hooker | Ramsperger |
| Agnew | Cullen | Gates | Knapp | Saxe |
| Alide | Davis | Gilchrist | McCall | Smith |
| Armstrong | Dunn | Grady | McCarren | Sullivan |
| Boyce | Emerson | Grattan | Mullaney | Taylor |
| Burr | Fancher | Harte | O'Neil | Thompson |
| Carpenter | Foelker | Hasenflug | Owens | Travis |
| Cassidy | Franchot | Heacock | Page | Tully |
| Cobb | Frawley | Hinman | Raines | Wemple |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1075, Rec. No. 314) entitled "An act to authorize the trustees of the village of Kenmore, Erie county, N. Y., acting as a board of assessors, to levy an annual frontage tax upon lands in said village in front of which water mains have been or may hereafter be extended," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cordts | Fuller | Hooker | Ramsperger |
| Agnew | Cullen | Gates | Knapp | Saxe |
| Allds | Davis | Gilchrist | McCall | Smith |
| Armstrong | Dunn | Grady | McCarren | Sullivan |
| Boyce | Emerson | Grattan | Mullaney | Taylor |
| Burr | Fancher | Harte | O'Neil | Thompson |
| Carpenter | Foelker | Hasenflug | Owens | Travis |
| Cassidy | Franchot | Heacock | Page | Tully |
| Cobb | Frawley | Hinman | Raines | Wemple |
| Cohalan | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1462, Rec. No. 298) entitled "An act to amend the Railroad Law, in relation to motive power of street surface railroads in the counties of Herkimer, Hamilton, Onondaga, Wayne, Madison and Chenango," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|------------|
| Ackroyd | Cordts | Fuller | Hooker | Ramsperger |
| Agnew | Cullen | Gates | Knapp | Saxe |
| Allds | Davis | Gilchrist | McCall | Smith |
| Armstrong | Dunn | Grady | McCarren | Sullivan |
| Boyce | Emerson | Grattan | Mullaney | Taylor |

| | | | | |
|-----------|----------|-----------|--------|----------|
| Burr | Fancher | Harte | O'Neil | Thompson |
| Carpenter | Foelker | Hasenflug | Owens | Travis |
| Cassidy | Franchot | Heacock | Page | Tully |
| Cobb | Frawley | Hinman | Raines | Wemple |
| Cohalan | | | | |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1340, Rec. No. 219) entitled "An act authorizing the board of estimate and apportionment of the city of New York to hear, audit, determine and allow the alleged claim of the Narragansett Machine Company for furnishing to the park board of said city goods, wares and merchandise for use in the parks of the city of New York, borough of the Bronx, and to provide payment of such claim," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cordts | Fuller | Hooker | Ramsperger |
| Agnew | Cullen | Gates | Knapp | Saxe |
| Allds | Davis | Gilchrist | McCall | Smith |
| Armstrong | Dunn | Grady | McCarren | Sullivan |
| Boyce | Emerson | Grattan | Mullaney | Taylor |
| Burr | Fancher | Harte | O'Neil | Thompson |
| Carpenter | Foelker | Hasenflug | Owens | Travis |
| Cassidy | Franchot | Heacock | Page | Tully |
| Cobb | Frawley | Hinman | Raines | Wemple |
| Cohalan | | | | |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 864, Int. No. 722) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter 228 of the Laws of 1901, relating to the repairing of private docks in the city of Buffalo," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cordts | Fuller | Hooker | Ramsperger |
| Agnew | Cullen | Gates | Knapp | Saxe |
| Allis | Davis | Gilchrist | McCall | Smith |
| Armstrong | Dunn | Grady | McCarren | Sullivan |
| Boyce | Emerson | Grattan | Mullaney | Taylor |
| Burr | Fancher | Harte | O'Neil | Thompson |
| Carpenter | Foelker | Hasenflug | Owens | Travis |
| Cassidy | Franchot | Heacock | Page | Tully |
| Cobb | Frawley | Hinman | Raines | Wemple |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 840, Int. No. 704) entitled "An act to provide for a police pension fund for the police force of the city of Watertown," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cordts | Fuller | Hooker | Ramsperger |
| Agnew | Cullen | Gates | Knapp | Saxe |
| Allis | Davis | Gilchrist | McCall | Smith |
| Armstrong | Dunn | Grady | McCarren | Sullivan |
| Boyce | Emerson | Grattan | Mullaney | Taylor |
| Burr | Fancher | Harte | O'Neil | Thompson |
| Carpenter | Foelker | Hasenflug | Owens | Travis |
| Cassidy | Franchot | Heacock | Page | Tully |
| Cobb | Frawley | Hinman | Raines | Wemple |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 755, Int. No. 641) entitled "An act to amend chapter 313 of the Laws of 1906, entitled 'An act to amend chapter 644 of the Laws of 1905, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to ward boundaries,"' relating to the boundaries of the Twenty-third and Twenty-fourth wards in said city of Buffalo," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cordts | Fuller | Hooker | Ramsperger |
| Agnew | Cullen | Gates | Knapp | Saxe |
| Allds | Davis | Gilchrist | McCall | Smith |
| Armstrong | Dunn | Grady | McCarren | Sullivan |
| Boyce | Emerson | Grattan | Mullaney | Taylor |
| Burr | Fancher | Harte | O'Neil | Thompson |
| Carpenter | Foelker | Hasenflug | Owens | Travis |
| Cassidy | Franchot | Heacock | Page | Tully |
| Cobb | Frawley | Hinman | Raines | Wemple |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 551, Int. No. 477) entitled "An act to empower the comptroller of the city of New York to set aside and cancel certain assessments, levied and assessed during the years 1899 and 1900, against certain real property of the Williams Avenue Methodist Episcopal Church in the borough of Brooklyn," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cordts | Fuller | Hooker | Ramsperger |
| Agnew | Cullen | Gates | Knapp | Saxe |
| Allds | Davis | Gilchrist | McCall | Smith |
| Armstrong | Dunn | Grady | McCarren | Sullivan |
| Boyce | Emerson | Grattan | Mullaney | Taylor |
| Burr | Fancher | Harte | O'Neil | Thompson |
| Carpenter | Foelker | Hasenflug | Owens | Travis |
| Cassidy | Franchot | Heacock | Page | Tully |
| Cobb | Frawley | Hinman | Raines | Wemple |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 433, Int. No. 385) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' in reference to the maintenance and care of public libraries," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cordts | Fuller | Hooker | Ramsperger |
| Agnew | Cullen | Gates | Knapp | Saxe |
| Allds | Davis | Gilchrist | McCall | Smith |
| Armstrong | Dunn | Grady | McCarren | Sullivan |
| Boyce | Emerson | Grattan | Mullaney | Taylor |
| Burr | Fancher | Harte | O'Neil | Thompson |
| Carpenter | Foelker | Hasenflug | Owens | Travis |
| Cassidy | Franchot | Heacock | Page | Tully |
| Cobb | Frawley | Hinman | Raines | Wemple |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1279, Rec. No. 292) entitled "An act to amend the Agricultural Law, in relation to prosecutions for penalties," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|------------|
| Ackroyd | Cordts | Franchot | Heacock | Page |
| Agnew | Cullen | Frawley | Knapp | Ramsperger |
| Armstrong | Davis | Gates | McCarren | Saxe |
| Boyce | Dunn | Grattan | Mullaney | Smith |
| Burr | Emerson | Harte | O'Neil | Sullivan |
| Cobb | Fancher | Hasenflug | Owens | Travis |
| Cohalan | | | | |

31

FOR THE NEGATIVE.

| | | | | |
|-----------|-----------|--------|--------|--------|
| Allds | Fuller | Hinman | Raines | Tully |
| Carpenter | Gilchrist | Hooker | Taylor | Wemple |
| Foelker | Grady | | | |

12

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1038, Senate reprint No. 928, Rec. No. 139) entitled "An act to repeal chapter 682 of the Laws of 1894, entitled 'An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Hinman | Ramsperger |
| Agnew | Cordts | Fuller | Hooker | Saxe |
| Allds | Cullen | Gates | Knapp | Smith |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McCarren | Taylor |
| Burr | Emerson | Grattan | O'Neil | Tully |
| Carpenter | Fancher | Harte | Owens | Wemple |
| Cassidy | Foelker | Hasenflug | Page | Wilcox |
| Cobb | Franchot | Heacock | Raines | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 887, Senate reprint No. 930, Rec. No. 191) entitled "An act to legalize and confirm the organization and existence of common school district No. 9 of the towns of Sweden and Clarkson and to legalize and confirm all proceedings of the board of trustees and legal voters of such common school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Hinman | Ramsperger |
| Agnew | Cordts | Fuller | Hooker | Saxe |
| Allds | Cullen | Gates | Knapp | Smith |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McCarren | Taylor |
| Burr | Emerson | Grattan | O'Neil | Tully |
| Carpenter | Fancher | Harte | Owens | Wemple |
| Cassidy | Foelker | Hasenflug | Page | Wilcox |
| Cobb | Franchot | Heacock | Raines | 44 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 1047, Senate reprint No. 929, Rec. No. 186) entitled "An act to amend chapter 309 of the Laws of 1902, entitled 'An act to provide a purchasing agent for the county of Monroe, and to repeal certain existing provisions of law relative thereto,' relative to salary of stenographer of purchasing agent and powers and duties of such purchasing agent," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Hinman | Ramsperger |
| Agnew | Cordts | Fuller | Hooker | Saxe |
| Allds | Cullen | Gates | Knapp | Smith |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McCarren | Taylor |
| Burr | Emerson | Grattan | O'Neil | Tully |
| Carpenter | Fancher | Harte | Owens | Wemple |
| Cassidy | Foelker | Hasenflug | Page | Wilcox |
| Cobb | Franchot | Heacock | Raines | 44 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 947, Rec. No. 149) entitled "An act authorizing the board of taxes and assessments in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Hinman | Ramsperger |
| Agnew | Cordts | Fuller | Hooker | Saxe |
| Allds | Cullen | Gates | Knapp | Smith |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McCarren | Taylor |
| Burr | Emerson | Grattan | O'Neil | Tully |
| Carpenter | Fancher | Harte | Owens | Wemple |
| Cassidy | Foelker | Hasenflug | Page | Wilcox |
| Cobb | Franchot | Heacock | Raines | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 367, Senate reprint No. 927, Rec. No. 37) entitled "An act to amend chapter 306 of the Laws of 1899, entitled 'An act to confirm, reduce, levy and provide for the collection by the city of Rensselaer as the successor of the village of Greenbush of certain assessments made by the village of Greenbush and to confirm the proceedings had with reference thereto and the issue of bonds thereon,' in relation to the collection of unpaid street paving assessments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Hinman | Ramsperger |
| Agnew | Cordts | Fuller | Hooker | Saxe |
| Allds | Cullen | Gates | Knapp | Smith |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McCarren | Taylor |
| Burr | Emerson | Grattan | O'Neil | Tully |
| Carpenter | Fancher | Harte | Owens | Wemple |
| Cassidy | Foelker | Hasenflug | Page | Wilcox |
| Cobb | Franchot | Heacock | Raines | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 932, Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, N. Y.," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Hinman | Ramsperger |
| Agnew | Cordts | Fuller | Hooker | Saxe |
| Allds | Cullen | Gates | Knapp | Smith |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McCarren | Taylor |
| Burr | Emerson | Grattan | O'Neil | Tully |
| Carpenter | Fancher | Harte | Owens | Wemple |
| Cassidy | Foelker | Hasenflug | Page | Wilcox |
| Cobb | Franchot | Heacock | Raines | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 931, Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, N. Y.," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Hinman | Ramsperger |
| Agnew | Cordts | Fuller | Hooker | Saxe |
| Allds | Cullen | Gates | Knapp | Smith |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McCarren | Taylor |
| Burr | Emerson | Grattan | O'Neil | Tully |
| Carpenter | Fancher | Harte | Owens | Wemple |
| Cassidy | Foelker | Hasenflug | Page | Wilcox |
| Cobb | Franchot | Heacock | Raines | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 936, Int. No. 98) entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new courthouse in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof and to sell the present courthouse and site and the county clerk's office and site, situate in Utica,' as amended by chapter 132 of the Laws of 1905," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Hinman | Ramsperger |
| Agnew | Cordts | Fuller | Hooker | Saxe |
| Allis | Cullen | Gates | Knapp | Smith |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McCarren | Taylor |
| Burr | Emerson | Grattan | O'Neil | Tully |
| Carpenter | Fancher | Harte | Owens | Wemple |
| Cassidy | Foelker | Hasenflug | Page | Wilcox |
| Cobb | Franchot | Heacock | Raines | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 934, Int. No. 361) entitled "An act to amend the Tax Law, in regard to taxation of State lands in towns of Dannemora and Altona, in Clinton county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Hinman | Ramsperger |
| Agnew | Cordts | Fuller | Hooker | Saxe |
| Allds | Cullen | Gates | Knapp | Smith |
| Armstrong | Davis | Gilchrist | McCall | Sullivan |
| Boyce | Dunn | Grady | McCarren | Taylor |
| Burr | Emerson | Grattan | O'Neil | Tully |
| Carpenter | Fancher | Harte | Owens | Wemple |
| Cassidy | Foelker | Hasenflug | Page | Wilcox |
| Cobb | Franchot | Heacock | Raines | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 155, Int. No. 151) entitled "An act in relation to the Medical Society of the State of New York," having been announced for third reading, Mr. Page moved that said bill be recommitted to the committee on public health, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 10, after the word "matters" insert the words "[and causes]" in brackets, and print in italics the words "and things".

Same page, line 15, after the word "at" strike out the word "a" and insert the word "the".

Same page, line 16, after the word "for" strike out the word "any" and insert the word "that".

Same page, line 18, after the word "hold" strike out the word "office" and insert the words "their offices".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cassidy, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 493, Int. No. 439) entitled "An act to provide for iron gates for the protection of life on streets leading to the Gowanus canal in the borough of Brooklyn in the city of New York," having been announced for third reading, Mr. Thompson moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 2, after the word "authorized" insert the words "in its discretion", preceded and followed respectively by a comma.

Same page, line 6, strike out the word "prevent" and insert the word "protect".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was order reprinted and placed on the order of third reading.

The Assembly bill (No. 1407, Rec. No. 303) entitled "An act to amend chapter 724 of the Laws of 1905, entitled 'An act to provide for an additional supply of pure and wholesome water for the city of New York and for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters, and other appurtenances for that purpose, and for the appointment of a commission with the powers and duties necessary and proper to attain these objects,' in relation to clerks, stenographers, surveyors and other employees to commissioners," having been announced for third reading, Mr. Cordts moved that said bill be recommitted to the committee on affairs of cities, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill (No. 1278, Rec. No. 293) entitled "An act to amend the Agricultural Law, in relation to the powers and duties of the Commissioner of Agriculture," having been announced for third reading, Mr. Cobb moved that said bill be recommitted to the committee on agriculture, with instructions to said committee to report the same forthwith, amended as follows:

Page 5, line 4, after the word "shall" insert the words "wilfully and knowingly."

Same page, line 6, after the comma following the word "agriculture" insert the words "concerning a material matter."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Neil, from the committee on agriculture, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Hasenflug moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 26, Int. No. 26), entitled "An act to amend the Domestic Commerce Law, relative to the sale of oats in bags," and that said bill be amended, reprinted and recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Neil moved that the committee on commerce and navigation be discharged from the consideration of Senate bill (No. 626, Int. No. 541), entitled "An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault island, for the purpose of improving the navigation of the St. Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities," and that said bill be amended, reprinted and recommitted to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gates offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 545, Int. No. 471), entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers," for the purpose of retransmitting said bill to the mayor of the city of Fulton and having the city seal affixed thereto.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Burr offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of

the Senate bill (No. 482, Int. No. 430), entitled "An act to amend the Railroad Law, in relation to the consents of local authorities," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Assembly (No. 1228, Rec. No. 202), entitled "An act to amend the Highway Law, relative to the amount to be paid by the State to towns which have adopted the money system."

(2) Senate (No. 31, Int. No. 31), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the city of New York for assessments affecting property in the city of New York, and directing the comptroller to mark such assessments accordingly."

(3) Senate (No. 656, Int. No. 568), entitled "An act to regulate car service on street surface railroads in the county and borough of Queens."

(4) Senate, (No. 673, Int. No. 582), entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts, relative to the city of Schenectady,' relative to city court constables."

(5) Senate (No. 712, Int. No. 602), entitled "An act to establish a retirement fund for pensioning retired school teachers, superintendents, supervisors and heads of high school departments of the public schools of the city of Schenectady, and to regulate the collection, management and disbursement thereof."

(6) Senate (No. 747, Int. No. 632), entitled "An act to amend the Railroad Law, in relation to the inspection and care of steam locomotives."

(7) Assembly (No. 1149, Rec. No. 199), entitled "An act to

amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,' in relation to the powers of the village president in respect to conserving the public health and raising money therefor."

(8) Assembly (No. 1329, Rec. No. 223), entitled "An act to amend chapter 623 of the Laws of 1901, entitled 'An act to establish a commission for the maintenance and operation of the municipal electric light plant of the village of Green Island, Albany county, N. Y.'"

After some time spent therein, the President resumed the chair, and Mr. Frawley, from said committee, reported in favor of the passage of the above-named bills, which report was agreed to, and said bills ordered to a third reading.

The committee of the whole also had under consideration the bill entitled as follows:

Senate (No. 665, Int. No. 573), entitled "An act to amend section 391 of the Greater New York charter, in relation to the employment and payment of inspectors of removals of pavements or disturbances of surface of streets."

After some time spent therein, the President resumed the chair, and Mr. Frawley, from said committee, reported progress thereon.

Mr. Fuller moved that said bill be recommitted to the committee on affairs of cities for a hearing, retaining its place in the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the Assembly bill (No. 1375, Senate reprint No. 901, Rec. No. 208) entitled "An act to amend the Code of Civil Procedure, relative to the compensation of deputy sheriffs and constables attending courts in Richmond county," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the city of New York, requesting the return to the Assembly of Assembly bill (No. 961, Rec. No. 161), entitled "An act to

amend the Greater New York charter, in relation to the disposition of horses used in the fire, police and street cleaning departments," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 366, Int. No. 234) entitled "An act to provide for the payment of the claim of Robert E. Jones for furnishing work, labor, services and materials in the repair of the fire alarm system in the fifth ward of the borough of Queens in the city of New York," was returned by the mayor of the city of New York with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 557, Int. No. 184) entitled "An act to amend the Greater New York charter, in relation to conferring additional powers and jurisdiction upon the park board and the commissioner of parks for the boroughs of Manhattan and Richmond," was returned by the mayor of the city of New York with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, MARCH 29, 1907.

The Senate met pursuant to adjournment.

The Temporary President in the chair.

The journal of yesterday was read and approved.

The Assembly sent for concurrence the bill (No. 1749, Rec. No. 379) entitled "An act to amend sections 33 and 34 of title

2 of chapter 3 of part 4 of the Revised Statutes, relating to State prisons, relative to the salaries of certain officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1751, Rec. No. 380) entitled "An act to amend the Labor Law, relative to hours of labor on street surface and elevated railroads in cities of the first and second class," which was read the first time, and, by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 1753, Rec. No. 381) entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties,"' in relation to the salary of clerk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 1698, Rec. No. 382) entitled "An act to amend the Agricultural Law, relative to examinations of milk and cream for the butter fat contained therein and to issuing licenses to applicants for making such test," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 1697, Rec. No. 383) entitled "An act to amend chapter 596 of the Laws of 1898, entitled 'An act to amend chapter 163 of the Laws of 1873, entitled "An act to organize and establish a police department for the city of Yonkers,"' generally," which was read the first time, and, by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1725, Rec. No. 384) entitled "An act to provide a park board in and for the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1594, Rec. No. 385) entitled "An act to revise and amend the charter of the city of Newburgh, being chapter 541 of the Laws of 1865, and the several acts amendatory thereof and supplemental thereto," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Taylor, and by unanimous consent, said bill was substituted for Senate bill (No. 850, Int. No. 627), now on the order of third reading.

Also, the bill (No. 1722, Rec. No. 386) entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' in relation to payment of the salaries of policemen and meetings of police commissioners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1754, Rec. No. 387) entitled "An act to amend the Domestic Relations Law, in relation to marriages and fees for solemnizing marriages in certain cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1532, Rec. No. 388) entitled "An act to amend the Election Law, in relation to the name of a candidate appearing more than once on the official ballot," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1729, Rec. No. 389) entitled "An act to provide for a judicial recount and canvass of the votes cast for the office of mayor at the election of the 7th of November, 1905, in all cities of the first class in which the ballots have been preserved," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1534, Rec. No. 390) entitled "An act to amend the Penal Code, in relation to the sale of certain drugs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1727, Rec. No. 391) entitled "An act to amend the Greater New York charter, relating to the office of coroner," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grady moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 819, Int.

No. 691), entitled "An act authorizing the board of estimate and apportionment of the city of New York in its discretion to direct that the cost and expense of opening, widening or extending streets in said city for the purpose of using such streets as an approach to bridges connecting the various boroughs of said city, shall be borne and paid by the city of New York," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK,

EXECUTIVE CHAMBER,

ALBANY, *March 29, 1907.*

To the Senate:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned Senate bill (No. 545, Int. No. 471), entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers."

CHARLES E. HUGHES.

Ordered, That the Clerk transmit said bill to the mayor of the city of Fulton for the purpose of having the seal of the city affixed thereto.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, APRIL 1, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. C. W. Heisler.

The journal of Friday, March 29th, was read and approved.

Mr. Saxe introduced a bill (Int. No. 840) entitled "An act to amend section 315 of the Tax Law, in relation to the tax on trans-

fers of stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 841) entitled "An act to amend the Tax Law, in relation to the definition of 'land,' 'real estate,' and 'real property,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Carpenter introduced a bill (Int. No. 842) entitled "An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for the supply of water in the city of Yonkers,' as amended by chapter 621 of the Laws of 1906, relative to the issuing of water bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 843) entitled "An act to abolish the board of park commissioners in and for the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Taylor introduced a bill (Int. No. 844) entitled "An act to amend chapter 44 of the Laws of 1853, entitled 'An act for the better support of the poor in the town of Newburg, in the county of Orange,' in relation to the time of reports and estimates of the commissioners of the almshouse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Emerson introduced a bill (Int. No. 845) entitled "An act to amend chapter 414 of the Laws of 1897, known as the Village Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Hooker introduced a bill (Int. No. 846) entitled "An act to legalize and confirm certain proceedings of the biennial town meeting of the town of Lima, in the county of Livingston, held on the 12th day of March, 1907," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Armstrong introduced a bill (Int. No. 847) entitled "An act to provide for the selection for a site for a State hospital for the insane in the southeastern part of the State, in the vicinity of the city of New York, and for securing contracts for the sale to the State of the lands so selected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 848) entitled "An act to amend the Insanity Law, relative to the erection, alteration, repairs and improvements of State hospital buildings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Hill introduced a bill (Int. No. 849) entitled "An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the city of Buffalo, county of Erie and State of New York, acquired by escheat or otherwise upon the death of Hyronimus Wagner," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wemple introduced a bill (Int. No. 850) entitled "An act to provide for the government and to supplement the provisions of law relating to the city of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Allds introduced a bill (Int. No. 851) entitled "An act making an appropriation for the State's proportion of the amounts appropriated for the repair of highways, pursuant to section 53 of the Highway Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 852) entitled "An act to amend the Tax Law, in relation to information to be furnished to local assessing officers by recording officers, duty of local assessing officers and providing penalties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 853) entitled "An act to amend the Tax Law, and providing for the assessment as a special franchise by the State Board of Tax Commissioners of an occupancy of the streets, highways and public places, where such occupancy has not been ratified by grant from public authority," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 854) entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State board of tax commissioners, review of assessments and collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Cassidy introduced a bill (Int. No. 855) entitled "An act to forbid the contracting of any further debt or liability under chapter 47 of the Laws of 1903, entitled 'An act making provision for issuing bonds to the amount of not to exceed \$101,000,000 for the improvement of the Erie canal, the Oswego canal and the Champlain canal and providing for submission of the same to the people to be voted upon at the general election to be held in the year 1903,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly sent for concurrence the bill (No. 1655, Rec. No. 392) entitled "An act authorizing a referendum to the resident taxpayers of Chautauqua county on certain classes of appropriations by the board of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1696, Rec. No. 393) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to connecting roads and roads through incorporated villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1635, Rec. No. 394) entitled "An act in relation to the county court of Kings county and the appointment of a chief clerk and deputies and assistants therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1131, Rec. No. 157), entitled "An act to amend chapter 371 of the Laws of 1903, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to the boundaries of the several wards of the city of Schenectady and to increasing the number thereof and defining the boundaries thereof, and election of ward officers and appointing of election officers," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly returned the Assembly bill (No. 912, Senate reprint No. 900, Rec. No. 123) entitled "An act to amend the Code of Civil Procedure, relative to the allowance made by supervisors to grand and trial jurors in certain counties," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

A message was received from the Assembly in the words following:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference, relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 416, Senate reprint No. 530, Int. No. 409), entitled "An act making appropriations for the erection of certain buildings at the Binghamton State Hospital and the Kings Park State Hospital," re-

reported that they have duly conferred upon said matters, and agreed to recommend as follows:

That the Senate amendments be concurred in.

WM. W. ARMSTRONG,
JOHN N. CORDTS,
CHARLES H. FULLER,

Committee on the part of the Senate.

JAMES T. ROGERS,
JESSE S. PHILLIPS,
GEORGE H. WHITNEY,
C. E. MANCE,

FREDERICK NORTHRUP,

Committee on the part of the Assembly.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has agreed to the report of the committee of conference thereon.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 938, Int. No. 683), entitled "An act authorizing the Roman Catholic Sisters of Charity of Brooklyn, N. Y., a benevolent and charitable corporation, to convey a portion of its real property located in the borough of Brooklyn, county of Kings, city and State of New York, to Right Reverend Charles E. McDonnell, D. D., bishop of Brooklyn."

Also, Senate bill (No. 592, Int. No. 511) entitled "An act to amend section 384-h of the Penal Code, relative to hours of labor to be required of employees of a corporation operating a line of railroad 30 miles in length, or over."

Also, Senate bill (No. 913, Int. No. 754) entitled "An act to amend chapter 572 of the Laws of 1902, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally."

Also, Senate bill (No. 878, Int. No. 734) entitled "An act to amend the Greater New York charter, relative to granting of authority to the commissioners of the sinking fund, subject to the approval of the board of estimate and apportionment to exchange lands of the city of New York no longer required for a

public purpose for the lands of private owners needed for a public purpose lying within the same borough."

Also, Senate bill (No. 678, Int. No. 587) entitled "An act to provide for raising money for celebrating in 1908 the one hundredth anniversary of the formation of the county of Cortland, and for establishing and correcting the historical and other public records of the county, and for the several towns, cities and villages therein."

Also, Senate bill (No. 951, Int. No. 778) entitled "An act for the relief of the county of Ontario, relative to the collection of uncollected taxes therein of the years 1898, 1899, 1900, 1901, 1902, 1903, 1904 and 1905, and empowering and directing the county treasurer thereof to collect such taxes by advertisement and sale of lands upon which the same were assessed."

Also, Senate bill (No. 956, Int. No. 783) entitled "An act to confer certain powers on the board of supervisors and treasurer of the county of Suffolk in respect to taxes and to validate certain compromises of taxes heretofore made by such board."

Also, Senate bill (No. 939, Int. No. 47) entitled "An act to amend chapter 66 of the Laws of 1906, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' in relation to the payment of subordinates and the number of deputies."

Also, Senate bill (No. 656, Int. No. 568) entitled "An act to regulate car service on street surface railroad in the county and borough of Queens."

Also, Senate bill (No. 31, Int. No. 31) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the city of New York for assessments affecting property in the city of New York, and directing the Comptroller to mark such assessments accordingly."

Also, Senate bill (No. 747, Int. No. 632) entitled "An act to amend the Railroad Law, in relation to the inspection and care of steam locomotives."

Also, the Assembly bill (No. 1268, Senate reprint No. 958, Rec. No. 212) entitled "An act creating the office of county attorney in and for certain counties."

The Senate bill (No. 913, Int. No. 754) entitled "An act to amend chapter 572 of the Laws of 1902, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Foelker | Hill | Page | Thompson |
| Carpenter | Franchot | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 922, Int. No. 763) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments affecting the property of the Euclid Avenue Baptist Church in the borough of Brooklyn, and to declare such property hereafter exempt from such assessments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Fancher | Hill | Page | Thompson |
| Carpenter | Foelker | Hooker | Raines | Wemple |

| | | | | |
|---------|----------|----------|------------|--------|
| Cassidy | Franchot | Knapp | Ramsperger | White |
| Cobb | Frawley | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

FOR THE NEGATIVE.

Fuller

1

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1376, Rec. No. 221) entitled "An act to amend chapter 675 of the Laws of 1906, entitled 'An act to provide for the reconstruction of the west wing of the coffer dam at the outlet of Skaneateles lake, in the county of Onondaga, and making an appropriation therefor,' relative to reconstruction and improvements," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Foelker | Hill | Page | Thompson |
| Carpenter | Franchot | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 951, Int. No. 778) entitled "An act for the relief of the county of Ontario, relative to the collection of uncollected taxes therein of the years 1898, 1899, 1900, 1901, 1902, 1903, 1904 and 1905, and empowering and directing the county treasurer thereof to collect such taxes by advertisement and sale of lands upon which the same were assessed," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar

legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Saxe |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Dunn | Hasenflug | Mullaney | Sullivan |
| Armstrong | Emerson | Heacock | O'Neil | Taylor |
| Boyce | Foelker | Hill | Owens | Thompson |
| Carpenter | Franchot | Hooker | Page | Wemple |
| Cassidy | Frawley | Knapp | Raines | White |
| Cobb | Fuller | McCall | Ramsperger | Wilcox |
| Cohalan | Gates | | | |

42

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 956, Int. No. 783) entitled "An act to confer certain powers on the board of supervisors and treasurer of the county of Suffolk in respect to taxes and to validate certain compromises of taxes heretofore made by such board," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Foelker | Hill | Page | Thompson |
| Carpenter | Franchot | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 662, Rec. No. 194) entitled "An act to amend chapter 766 of the Laws of 1897, entitled 'An act to abolish fine and imprisonment for non-payment of taxes,' relative to poll taxes levied for highway purposes," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Foelker | Hill | Page | Thompson |
| Carpenter | Franchot | Knapp | Raines | Wemple |
| Cassidy | Frawley | McCall | Ramsperger | White |
| Cobb | Fuller | McCarren | Saxe | Wilcox |
| Cohalan | Gates | | | |

42

FOR THE NEGATIVE.

Hooker

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 31, Int. No. 31) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the city of New York for assessments affecting property in the city of New York, and directing the comptroller to mark such assessments accordingly," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Foelker | Hill | Page | Thompson |
| Carpenter | Franchot | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 747, Int. No. 632) entitled "An act to amend the Railroad Law, in relation to the inspection and care of steam locomotives," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Foelker | Hill | Page | Thompson |
| Carpenter | Franchot | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1149, Rec. No. 199) entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,' in relation to the powers of the village president in respect to conserving the public health and raising money therefor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Foelker | Hill | Page | Thompson |
| Carpenter | Franchot | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1329, Rec. No. 223) entitled "An act to amend chapter 623 of the Laws of 1901, entitled 'An act to establish a commission for the maintenance and operation of the municipal electric plant of the village of Green Island, Albany county, N. Y.," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Fancher | Hill | Page | Thompson |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1045, Senate reprint No. 1051, Rec. No. 145) entitled "An act to amend chapter 704 of the Laws of 1901, entitled 'An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office,' in relation to the salaries of superintendent, clerks and assistants in said office," having been announced for third reading, Mr. Foelker moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Strike out all amendments made by the Senate and restore same to its original form, Assembly printed No. 1045.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Said Assembly bill (No. 1045) was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Smith |
| Agnew | Cullen | Hasenflug | Mullaney | Sohmer |
| Allds | Dunn | Heacock | O'Neil | Sullivan |
| Armstrong | Emerson | Hill | Owens | Taylor |
| Boyce | Foelker | Hooker | Page | Thompson |
| Carpenter | Franchot | Knapp | Raines | Wemple |
| Cassidy | Frawley | McCall | Ramsperger | White |
| Cobb | Gates | McCarren | Saxe | Wilcox |
| Cohalan | Gilchrist | | | |

42

FOR THE NEGATIVE.

Fuller

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1121, Rec. No. 176) entitled "An act to amend the uniform charter of cities of the second class, relative to salary of city engineer in certain cities," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Fancher | Hill | Page | Thompson |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Franchot | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 939, Int. No. 47) entitled "An act to amend chapter 66 of the Laws of 1906, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' in relation to the payment of subordinates and the number of deputies," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Fancher | Hill | Page | Thompson |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Franchot | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cobalan | Gates | McCarren | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 938, Int. No. 683) entitled "An act authorizing the Roman Catholic Sisters of Charity of Brooklyn, N. Y., a benevolent and charitable corporation, to convey a portion of its real property located in the borough of Brooklyn, county of Kings, city and State of New York, to Right Reverend Charles E. McDonnell, U. D., bishop of Brooklyn," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Fancher | Hill | Page | Thompson |

| | | | | |
|-----------|----------|----------|------------|--------|
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Franchot | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1268, Senate reprint No. 958, Rec. No. 212) entitled "An act creating the office of county attorney in and for certain counties," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allis | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Fancher | Hill | Page | Thompson |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Franchot | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 839, Senate reprint No. 926, Rec. No. 185) entitled "An act to amend chapter 233 of the Laws of 1884, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga, and for post-mortem examinations in coroners' cases in said county,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Fancher | Hill | Page | Thompson |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Franchot | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 1132, Rec. No. 165) entitled "An act to amend the Railroad Law, relative to motive power of street surface railroads in certain counties," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McManus | Smith |
| Agnew | Cullen | Grattan | Mullaney | Sohmer |
| Allds | Dunn | Hasenflug | O'Neil | Sullivan |
| Armstrong | Emerson | Heacock | Owens | Taylor |
| Boyce | Fancher | Hill | Page | Thompson |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Franchot | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | McCarren | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1594, Rec. No. 385) entitled "An act to revise and amend the charter of the city of Newburgh, being chapter 541 of the Laws of 1865, and the several acts amendatory thereof and supplemental thereto," having been announced for third reading, Mr. Fuller moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 21, strike out the lines 6 to 25, inclusive.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|----------|----------|----------|
| Ackroyd | Cohalan | Gates | Mullaney | Sohmer |
| Allds | Cordts | Grattan | O'Neil | Sullivan |
| Armstrong | Cullen | Heacock | Owens | Taylor |
| Boyce | Dunn | Knapp | Page | Thompson |
| Carpenter | Emerson | McCall | Raines | Wemple |
| Cassidy | Franchot | McCarren | Saxe | White |
| Cobb | Frawley | McManus | Smith | Wilcox |
| | | | | 35 |

FOR THE NEGATIVE.

| | | | | |
|---------|-----------|-----------|------|--------|
| Foelker | Gilchrist | Hasenflug | Hill | Hooker |
| Fuller | | | | |
| | | | | 6 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

Mr. Gates moved to take from the table the motion to reconsider the vote by which the Assembly bill (No. 1331, Rec. No. 224) entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," was lost.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cobb | Gates | O'Neil | Taylor |
| Agnew | Cullen | Grattan | Owens | Thompson |
| Allds | Dunn | Hasenflug | Page | Wemple |
| Armstrong | Franchot | Heacock | Raines | White |
| Boyce | Frawley | Hooker | Smith | Wilcox |
| Carpenter | Fuller | McCall | Sullivan | |
| | | | | 29 |

FOR THE NEGATIVE.

| | | | | |
|---------|---------|-------|------------|---|
| Cohalan | Foelker | Knapp | Ramsperger | 4 |
|---------|---------|-------|------------|---|

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|----------|-----------|----------|----------|----|
| Ackroyd | Cobb | Frawley | McCall | Sullivan | |
| Agnew | Cordts | Gates | McCarren | Taylor | |
| Alds | Cullen | Grattan | Owens | Thompson | |
| Armstrong | Dunn | Hasenflug | Page | Wemple | |
| Boyce | Emerson | Heacock | Raines | White | |
| Carpenter | Franchot | Hooker | Smith | Wilcox | 30 |

FOR THE NEGATIVE.

| | | | | | |
|---------|--------|-------|----------|------------|---|
| Cohalan | Fuller | Knapp | Mullaney | Ramsperger | 6 |
| Foelker | | | | | |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1228, Rec. No. 202) entitled "An act to amend the Highway Law, relative to the amount to be paid by the State to towns which have adopted the money system," having been announced for third reading, Mr. Armstrong moved that said bill be made a special order in the order of third reading, immediately after the reading of the journal on Thursday, April 4th.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|----------|--------|--------|------------|----|
| Agnew | Dunn | Gates | Page | Ramsperger | |
| Alds | Franchot | Hill | Raines | Saxe | |
| Armstrong | Fuller | Hooker | | | 13 |

FOR THE NEGATIVE.

| | | | | | |
|-----------|-----------|----------|----------|----------|----|
| Ackroyd | Cullen | Heacock | Mullaney | Sullivan | |
| Boyce | Emerson | Knapp | O'Neil | Taylor | |
| Carpenter | Frawley | McCall | Owens | Thompson | |
| Cassidy | Gilchrist | McCarren | Smith | Wemple | |
| Cobb | Grattan | McManus | Sohmer | Wilcox | |
| Cohalan | Hasenflug | | | | 27 |

Mr. Armstrong raised the point of order that the said bill, involving an appropriation, should be now referred by the President to the committee on finance.

The President decided the point of order not well taken, inasmuch as, when received as a message from the Assembly, the bill had been referred to the committee on internal affairs of towns and counties, its title not disclosing that an appropriation was involved, and had thereafter been reported from said committee, considered in the committee of the whole, reported therefrom, ordered to a third reading, is now in the possession of the Senate and beyond the power of the President to again refer it. The further disposition of the bill rests with the Senate.

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Allds | Cullen | Gilchrist | McCarren | Sohmer |
| Boyce | Emerson | Grattan | McManus | Sullivan |
| Carpenter | Foelker | Hasenflug | Mullaney | Taylor |
| Cassidy | Franchot | Heacock | O'Neil | Thompson |
| Cobb | Frawley | Hooker | Owens | Wemple |
| Cohalan | Fuller | Knapp | Page | Wilcox |
| | | | | 35 |

FOR THE NEGATIVE.

| | | | | |
|-----------|------|--------|------------|------|
| Agnew | Dunn | Raines | Ramsperger | Saxe |
| Armstrong | Hill | | | |
| | | | | 7 |

Mr. Cassidy moved to reconsider the vote by which said bill was passed, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. McCall moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 667, Int. No. 575) entitled "An act to amend chapter 570 of the Laws of 1895,

entitled 'An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State racing commission,' in relation to the appointment of stewards or judges," and that said bill be amended, reprinted and recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Foelker moved that the committee on affairs of cities be discharged from the consideration of Assembly bill (No. 310, Rec. No. 100) entitled "An act to provide for a connecting railroad in the borough of Manhattan between the Brooklyn bridge and the Williamsburg bridge, in the city of New York," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Knapp moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 574, Int. No. 493) entitled "An act to amend the Revised Statutes, relative to the parole of prisoners from State prisons," and that said bill be amended, reprinted and recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cobb moved that the committee of the whole be discharged from the consideration of Senate bill (No. 235, Int. No. 226) entitled "An act supplementary to chapter 107 of the Laws of 1821, entitled 'An act declaring a part of the Black river a public highway, and for other purposes,' passed March 16, 1821," and that said bill be amended, reprinted and recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the Senate bill (No. 536, Int. No. 280) entitled "An act to incorporate Young People's Missionary Movement of the United States and Canada."

Also, Senate bill (No. 465, Int. No. 412) entitled "An act to amend chapter 153 of the Laws of 1833, entitled 'An act to in-

corporate the New England Society in the City of New York,' in relation to the members voting by proxy," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, APRIL 2, 1907.

The Senate met pursuant to adjournment.

The Temporary President in the chair.

Prayer by Rev. H. Graham.

The journal of yesterday was read and approved.

Mr. Owens introduced a bill (Int. No. 856) entitled "An act relating to retirements of veterans employed by the State or any civil division thereof; granting pensions to veterans and providing for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Carpenter introduced a bill (Int. No. 857) entitled "An act to amend section 3 of chapter 236 of the Laws of 1905, in respect to the rate of interest to be paid on bonds provided for in said chapter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 858) entitled "An act to amend chapter 531 of the Laws of 1900, entitled 'An act to provide for a police pension fund for the police force of the city of Yonkers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Heacock introduced a bill (Int. No. 859) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit

and determine the alleged claim of Daniel F. Strobel and Dennis Moynehan, doing business under the firm name of Strobel & Moynehan, against the State for damages alleged to have been sustained by them, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Franchot introduced a bill (Int. No. 860) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls, so as to provide for a grade crossing commission, and defining the powers and duties thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 861) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hill introduced a bill (Int. No. 862) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relative to ward boundaries, composition, election and powers of the common council, and the election of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cullen introduced a bill (Int. No. 863) entitled "An act to amend the Greater New York charter, relative to the classification and instruction of criminals and misdemeanants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. O'Neil introduced a bill (Int. No. 864) entitled "An act to amend the Agricultural Law, in relation to the sale and transportation of adulterated and misbranded foods and regulating traffic therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Franchot introduced a bill (Int. No. 865) entitled "An act

to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Davis introduced a bill (Int. No. 866) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the police pension fund of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wemple introduced a bill (Int. No. 867) entitled "An act making an appropriation for the national encampment of the Grand Army of the Republic to be held in the village of Saratoga Springs in the month of September, 1907," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly sent for concurrence the bill (No. 1369, Rec. No. 395) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of public highways,' in relation to assessing the cost of highways now improved or constructed pursuant to petition of abutting owners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1547, Rec. No. 396) entitled "An act to provide for raising money for celebrating in 1908 the one hundredth anniversary of the formation of the county of Cortland, and for establishing and correcting the historical and other public records of the county, and of the several towns, cities and villages therein," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hinman, and by unanimous consent, said bill was substituted for Senate bill (No. 678, Int. No. 587), now on the order of third reading.

Also, the bill (No. 1486, Rec. No. 397) entitled "An act to amend chapter 24 of the Laws of 1895, entitled 'An act for the appointment of a clerk for grand juries of Chenango county,' in

relation to providing a stenographer in proceedings before juries in Chenango county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1734, Rec. No. 398) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to ordinances enacted by the common council, and the enforcement thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 571, Rec. No. 399) entitled "An act to admit Morgan Llewellyn Griffith to the State bar examination," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1654, Rec. No. 400) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to the payment of the cost of construction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 818, Senate reprint No. 1026, Rec. No. 317) entitled "An act to provide for the erection and furnishing of a new courthouse in the city of Hudson, for the use of the county of Columbia, and to provide means to defray the expense thereof and to sell or dispose of the ruins of the former courthouse situate in Hudson."

Also, Assembly bill (No. 575, Senate reprint No. 980, Rec. No. 38) entitled "An act to provide an additional appropriation for common schools and authorizing the apportionment of district quotas to be made in accordance with the provisions of chapter 698 of the Laws of 1906."

Also, Assembly bill (No. 545, Senate reprint No. 977, Rec. No. 55) entitled "An act to reduce the rate of ferriage on the ferry known as the South Brooklyn or Thirty-ninth street ferry, plying between the foot of Whitehall street in the borough of Manhattan and Thirty-ninth street in the borough of Brooklyn, and to establish a rate of ferriage thereon."

Also, Assembly bill (No. 913, Senate reprint No. 1013, Rec. No. 164) entitled "An act to amend the Greater New York charter, as re-enacted by chapter 466 of the Laws of 1901, relative to the police department."

Also, the Senate bill (No. 978, Int. No. 343) entitled "An act to amend chapter 120 of the Laws of 1881, entitled 'An act concerning certain records in the office of the Secretary of State and of the Comptroller,' relative to filing certain election returns and files in the State library."

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Gates (No. 725, Int. No. 562), entitled "An act to amend the Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by Mr. Draper (No. 697, Rec. No. 68), entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in certain tributaries of Lake Ontario," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. O'Neil, from the committee on agriculture, to which was referred the Assembly bill introduced by Mr. Boshart (No. 1516, Rec. No. 294), entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. O'Neil, from the committee on agriculture, to which was referred the Assembly bill introduced by Mr. Whitney (No. 1086, Rec. No. 163), entitled "An act to amend the Agricultural Law, in relation to moneys realized by the recovery of penalties, and certain matters of procedure," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. O'Neil, from the committee on agriculture, to which was referred the Assembly bill introduced by Mr. Matthews (No. 1223,

Rec. No. 204), entitled "An act to amend the Agricultural Law, in relation to the sale at retail of renovated butter," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hill (No. 836, Int. No. 700), entitled "An act to amend the State law in relation to the boundary line between the State of New York and the State of Vermont," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Raines (No. 886, Int. No. 738), entitled "An act to amend the Election Law, in relation to independent nominations," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Page (No. 867, Int. No. 725), entitled "An act to amend sections 3, 4, 8 and 10 of chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' as amended by chapter 572 of the Laws of 1898, chapter 490 of the Laws of 1900, and chapter 643 of the Laws of 1906, and to repeal chapter 519 of the Laws of 1904," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grady (No. 942, Int. No. 768), entitled "An act to amend chapter 91 of the Laws of 1895, entitled 'An act to amend the incorporation of "The Society of the War of 1812,"' in relation to merger of council and board of directors, eligibility, appointment to and oath of office and use of armories," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grady, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Fuller (No. 1004, Int. No. 819), entitled "An act to amend section 260 of the Real Property Law, in relation to the authentication of certificates of acknowledgment of proof," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Walters (No. 1334, Rec. No. 289), entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, N. Y., in constructing sewers in Edson street, Duerstein avenue and Burch avenue in said town of West Seneca, and making assessments therefor," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grady (No. 1001, Int. No. 816), entitled "An act to confer jurisdiction on the Court of Claims, to hear, audit and determine the alleged claim of Ella Nagle against the State of New York for damages alleged to have been sustained by her and to render judgment therefor," reported the same to the Senate with amendments.

On motion of Mr. Davis, and by unanimous consent, it was ordered that said bill be printed and recommitted to the said committee on the judiciary.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Wemple (No. 818, Int. No. 690), entitled "An act to amend chapter 617 of the Laws of 1868, entitled 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' as amended by chapter 321 of the Laws of 1876, and as further amended by chapter 127 of the Laws of 1887, and as further amended by chapter 260 of the Laws of 1899," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Prentice (No. 1471, Rec. No. 361), entitled "An act to incorporate Russel Sage foundation," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Agnew, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Wemple (No. 859, Int. No. 717), entitled "An act to change the name of 'Home of the Friendless of Schenectady' to 'Old Ladies' Home of Schenectady,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Davis (No. 619, Int. No. 535), entitled "An act to regulate transfers of goods in bulk," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 1242, Rec. No. 260), entitled "An act to legalize, ratify and confirm the acts and proceedings of the board of trustees of the village of Port Chester, in the county of Westchester, in the building and constructing of drains in King street, Poningo street, Clark street, Parker street, Maple place, Seymour road, Bush avenue and Bulkley avenue in said village, and to legalize and confirm the bonds issued or to be issued for the payment of the expense of doing said work," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Stevenson (No. 614, Rec. No. 363), entitled "An act to change the name of the First

Baptist Church of Harpersfield, New York, to the First Baptist Church of Stamford, New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Carpenter (No. 738, Int. No. 622), entitled "An act to amend the Religious Corporations Law, relative to trusts for Shakers and Friends," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to amend the Religious Corporations Law, relative to trusts for Friends," which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Mead (No. 1227, Rec. No. 205), entitled "An act to amend the Executive Law, in relation to the appointment of commissioners of deeds in other States, Territories and foreign countries," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Mead (No. 979, Rec. No. 296), entitled "An act to amend chapter 205 of the Laws of 1906, entitled 'An act to incorporate the trustees of the William Croswell Doane Fund for Christian Work in the Diocese of Albany,' in relation to the objects of such corporation," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Sohmer (No. 764, Int. No. 647), entitled "An act to incorporate the Hebrew Free Loan Association," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Conrady (No. 1195, Rec. No. 267), entitled "An act authorizing the Supreme Court to grant leave to the Reformed Protestant Dutch Church of Gravesend in the borough of Brooklyn, city of New York, to convey without consideration its real property known as the Woodlawn chapel property to the Woodlawn Reformed Church in said borough of said city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Weimert (No. 1637, Rec. No. 367), entitled "An act to amend the Primary Election Law, in relation to excepting first class cities from special enrollment and changing date when enrollment books shall be delivered," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 1150, Rec. No. 174), entitled "An act to legalize, ratify and confirm the acts and proceedings of the board of trustees of the village of Port Chester, in the county of Westchester, in regulating, grading and paving Traverse avenue, a public highway of said village, and to legalize and confirm the bonds issued or to be issued for the payment of the portion of the expense chargeable to or payable by said village," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Conklin (No. 1085, Rec. No. 148), entitled "An act to amend the Real Property Law, in relation to parties to a proceeding where real property affected by a trust is conveyed, mortgaged or leased," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Fuller (No. 873, Int.

No. 729), entitled "An act to amend chapter 415 of the Laws of 1897, as amended by chapter 255 of the Laws of 1903, and amended by chapter 490 of the Laws of 1906, known as the Labor Law, in relation to the hours of employment of minors in mercantile and other establishments," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Leave of absence was granted to Messrs. Harte and Mullaney for the day.

The Assembly bill (No. 1547, Rec. No. 396) entitled "An act to provide for raising money for celebrating in 1908 the one hundredth anniversary of the formation of the county of Cortland, and for establishing and correcting the historical and other public records of the county, and of the several towns, cities and villages therein," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Smith |
| Agnew | Davis | Grady | McManus | Sohmer |
| Allds | Dunn | Grattan | Mullaney | Sullivan |
| Armstrong | Emerson | Hasenfug | O'Neil | Taylor |
| Boyce | Fancher | Heacock | Owens | Thompson |
| Carpenter | Foelker | Hill | Page | Travis |
| Cassidy | Franchot | Hinman | Raines | Tully |
| Cobb | Frawley | Hooker | Ramsperger | Wemple |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | Gates | McCall | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 818, Senate reprint No. 1026, Rec. No. 317) entitled "An act to provide for the erection and furnishing of a new courthouse in the city of Hudson for the use of the county of Columbia and to provide means to defray the expense thereof, and to sell or dispose of the ruins of the former courthouse situate in Hudson," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|--------|----------|
| Ackroyd | Cordts | Franchot | Hill | Saxe |
| Agnew | Cullen | Gates | Hinman | Smith |
| Allis | Davis | Gilchrist | Hooker | Thompson |
| Carpenter | Emerson | Grattan | O'Neil | Wemple |
| Cassidy | Fancher | Hasenflug | Page | White |
| Cobb | Foelker | Heacock | Raines | Wilcox |

30

FOR THE NEGATIVE.

| | | | | |
|-----------|---------|----------|------------|--------|
| Armstrong | Frawley | McCarren | Ramsperger | Taylor |
| Cohalan | Fuller | Owens | Sohmer | Tully |
| Dunn | Grady | | | |

12

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 575, Senate reprint No. 980, Rec. No. 38) entitled "An act to provide an additional appropriation for common schools and authorizing the apportionment of district quotas to be made in accordance with the provisions of chapter 698 of the Laws of 1906," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Hooker | Smith |
| Agnew | Cullen | Gates | McCarren | Sohmer |
| Allis | Davis | Gilchrist | O'Neil | Taylor |
| Armstrong | Dunn | Grady | Owens | Thompson |
| Boyce | Emerson | Grattan | Page | Tully |
| Carpenter | Fancher | Hasenflug | Raines | Wemple |
| Cassidy | Foelker | Heacock | Ramsperger | White |
| Cobb | Franchot | Hill | Saxe | Wilcox |
| Cohalan | Frawley | Hinman | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 978, Int. No. 343) entitled "An act to amend chapter 120 of the Laws of 1881, entitled 'An act concerning certain records in the office of the Secretary of State and of the Comptroller,' relative to filing certain election returns and files in the State library," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Hooker | Smith |
| Agnew | Cullen | Gates | Knapp | Sohmer |
| Allds | Davis | Gilchrist | McCarren | Taylor |
| Armstrong | Dunn | Grady | O'Neil | Thompson |
| Boyce | Emerson | Grattan | Owens | Tully |
| Carpenter | Fancher | Hasenflug | Page | Wemple |
| Cassidy | Foelker | Heacock | Raines | White |
| Cobb | Franchot | Hill | Ramsperger | Wilcox |
| Cohalan | Frawley | Hinman | Saxe | |

44

Ordered. That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 913, Senate reprint No. 1013, Rec. No. 164) entitled "An act to amend the Greater New York charter, as re-enacted by chapter 466 of the Laws of 1901, relative to the police department," having been announced for third reading, Mr. Sohmer moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

On page 1, line 9, reinsert the words "fifteen inspectors of police".

On page 2, lines 17 and 18, reinsert the word "inspectors".

On page 2, line 18, strike out the word "captains".

On page 2, lines 20 to 25, strike out all the words beginning with "The" on line 20 and ending with the word "seven" on line 25, and insert in place thereof the following: "inspectors may be reduced to the grade of captain at any time by the police commissioner after due trial upon charges, the determination of which may be reviewed by writ of certiorari."

On page 4, lines 7 to 26, strike out all the words beginning with the word "The" on line 7 and ending with the word "command" on line 26.

On page 7, line 26, reinsert the word "inspector".

On page 7, line 26, strike out the word "captain".

On page 8, lines 2 and 3, strike out the words "captain of police who held the rank or grade of".

On page 8, lines 3 to 5, strike out beginning with the word "with" on line 3 and ending with the word "effect" on line 5.

On page 8, line 5, reinsert the word "each".

On page 8, lines 5 to 6, strike out the words "every other".

On page 8, line 8, reinsert the word "an".

On page 8, line 9, strike out the words "a captain of police detailed to act as".

On page 8, line 9, reinsert the words "of police".

On page 11, line 22, reinsert the words "each deputy chief of police and".

On page 11, lines 22 to 23, strike out the words "each captain of police detailed to act as".

On page 12, lines 6 to 7, reinsert the words "each deputy chief of police and".

On page 12, lines 7 to 8, strike out the words "captain of police detailed to act as".

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|---------|---------|----------|------------|----------|----|
| Cohalan | Frawley | McCarren | Mullaney | Sohmer | |
| Cullen | Grady | McManus | Ramsperger | Sullivan | 10 |

FOR THE NEGATIVE.

| | | | | | |
|-----------|----------|---------|--------|--------|----|
| Agnew | Davis | Gates | O'Neil | Taylor | |
| Boyce | Dunn | Heacock | Owens | Travis | |
| Burr | Fancher | Hill | Page | Tully | |
| Carpenter | Foelker | Hinman | Raines | White | |
| Cobb | Franchot | Hooker | Saxe | Wilcox | |
| Cordts | Fuller | McCall | | | 28 |

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|--------|----------|
| Agnew | Cordts | Gates | Knapp | Smith |
| Allds | Davis | Gilchrist | McCall | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |

| | | | | | |
|-----------|----------|---------|------------|--------|----|
| Burr | Fancher | Heacock | Page | Tully | |
| Carpenter | Foelker | Hill | Raines | Wemple | |
| Cassidy | Franchot | Hinman | Ramsperger | White | |
| Cobb | Fuller | Hooker | Saxe | Wilcox | 40 |

FOR THE NEGATIVE.

| | | | | | |
|---------|---------|----------|----------|----------|---|
| Cohalan | Frawley | McCarren | Mullaney | Sullivan | |
| Cullen | Grady | McManus | Sohmer | | 9 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 545, Senate reprint No. 977. Rec. No. 55) entitled "An act to reduce the rate of ferriage on the ferry known as the South Brooklyn or Thirty-ninth street ferry, plying between the foot of Whitehall street in the borough of Manhattan and Thirty-ninth street in the borough of Brooklyn, and to establish a rate of ferriage thereon," having been announced for third reading, Mr. Gilchrist moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Strike out amendment made by the Senate and restore the bill to its original form. (Assembly printed No. 545.)

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the negative, a majority of all the Senators elected not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE

| | | | | | |
|---------|---------|-----------|-----------|--------|---|
| Ackroyd | Foelker | Gilchrist | Hasenflug | Travis | |
| Allde | | | | | 6 |

FOR THE NEGATIVE.

| | | | | | |
|-----------|---------|----------|------------|----------|----|
| Agnew | Dunn | Heacock | Owens | Sullivan | |
| Armstrong | Emerson | Hinman | Page | Taylor | |
| Boyce | Fancher | Hooker | Raines | Tully | |
| Carpenter | Frawley | McCall | Ramsperger | Wemple | |
| Cassidy | Fuller | McCarren | Saxe | White | |
| Cobb | Gates | Mullaney | Sohmer | Wilcox | |
| Cordts | Grady | O'Neil | | | 33 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has nonconcurred in the passage of the same.

The Senate bill (No. 1014, Int. No. 655) entitled "An act to amend section 221 of the Code of Civil Procedure, relative to the salaries of certain clerks and deputy clerks of the Appellate Divisions of the Third and Fourth Departments," having been announced for third reading, Mr. Dunn moved that said bill be re-committed to the committee on finance, with instructions to said committee to report the same forthwith, amended as follows:

Page 4, after line 12, insert the words following. "4. The deputy clerk of the appellate division of the supreme court in the third judicial department shall also act under the direction of said court as librarian, and have charge of the library in use by said court, and for such additional services shall receive the additional sum of five hundred dollars per annum, to be paid in the same manner as his salary as deputy clerk."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Armstrong, from the committee on finance, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 673, Int. No. 582) entitled "An act to amend an act, entitled 'An act to amend and consolidate the several acts, relative to the city of Schenectady,' relative to City Court constables," having been announced for third reading, Mr. Wemple moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

On page 1, line 4, after the word "three" strike out remainder of the line; also lines 5, 6, 7, 8, to and including the word "six" on line 9.

Also, amend on page 2, line 1, after word "process" by inserting semicolon in place of colon; also on same line strike out the word "services" and insert the word "service" in place thereof; also on page 2, line 2, after word "title" insert comma.

Also, amend on lines 5 and 6 after the character known as brace insert "ss" with colon.

Also, amend on page 2, line 20, after the word "of" by inserting the word "the", and on same line after the word "by" insert the word "the".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Allds moved that the committee of the whole be discharged from the consideration of Senate bill (No. 725, Int. No. 562), entitled "An act to amend the Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county," and that said bill be amended, the title amended to read as follows: "An act to amend the Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county and in Chenango county," and that same be reprinted and recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Fuller moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 853, Int. No. 710), entitled "An act to amend the Legislative Law, relative to compensation to members of the Legislature, for services in matters to which the State is a party," and that said bill be amended, reprinted and recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Burr offered the following:

Resolved (if the Assembly concur), That Senate bill (No. 482, Int. No. 430), entitled "An act to amend the Railroad Law, in relation to the consents of local authorities," be returned to the Governor.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution and bill to the Governor.

The Assembly returned the Senate bill (No. 705, Int. No. 595) entitled "An act to create the office of building inspector in the village of White Plains and to provide for the appointment of the same."

Also, Senate bill (No. 704, Int. No. 594) entitled "An act to amend an act to organize and establish a police department for the village of White Plains, county of Westchester and State of New York, being chapter 306 of the Laws of 1904, as amended by chapter 165 of the Laws of 1906."

Also, Senate bill (No. 645, Int. No. 555) entitled "An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Senate bill (No. 276, Senate reprint No. 932, Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, N. Y."

Also, the Senate bill (No. 277, Senate reprint No. 931, Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, N. Y.," with a message that they have reconsidered the vote upon the final passage of said bills and have passed the same as amended by the Senate.

Ordered, That the Clerk transmit said bills to the mayor of the city of Schenectady for a hearing, pursuant to the provisions of the Constitution.

The Assembly returned the Assembly bill (No. 881, Senate reprint No. 846, Rec. No. 180) entitled "An act to legalize and validate certain paving bonds of the village of Mamaroneck and proceedings heretofore taken for the issuance and sale thereof by the board of trustees and legal voters of said village and to provide for the delivery or resale thereof and for the levy of taxes and local assessments for the payment of the principal thereof."

Also, the Assembly bill (No. 367, Senate reprint No. 927, Rec. No. 37) entitled "An act to amend chapter 306 of the Laws of 1899, entitled 'An act to confirm, reduce, levy and provide for the collection by the city of Rensselaer as the successor of the village of Greenbush of certain assessments made by the village of Greenbush and to confirm the proceedings had with reference thereto and the issue of bonds thereon,' in relation to the collection of unpaid street paving assessments," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bills to the Assembly.

The Senate bill (No. 82, Int. No. 82) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into the claim of the Donlon Contracting Company against the city of New York for cleaning the brick sewers of the borough of Brooklyn in the city of New York, and to provide for the payment thereof," was returned by the mayor of the city of New York with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 503, Int. No. 105) entitled "An act to amend an act entitled 'An act to extend the time within which the International Railway Company and the Crosstown Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation,'" was returned by the mayor of the city of Buffalo with a certificate that a public hearing had been duly held on said bill in pursuance of law and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 290, Int. No. 111) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the First Department,' relative to the appointment of a confidential clerk," was returned by the mayor of the city of New York with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 286, Int. No. 272) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit and allow the claims of James T. Ellet and Frank Miller, for compensation for services rendered as secretary and watchman, respectively, to the Richmond county park commissioners," was returned by the mayor of the city of New York with a certificate that a public

hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 694, Int. No. 533) entitled "An act authorizing the city of Buffalo to create a sinking fund with the avails of the sale of certain grade crossing bonds made on May 28, 1903, pursuant to section 16 of chapter 345 of the Laws of 1888, and from such fund to pay for the work for which said bonds were issued when the same shall be duly ordered, or to redeem said bonds with said fund; and to award other bonds to said fund without advertising," was returned by the mayor of the city of Buffalo with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 77, Int. No. 77) entitled "An act to authorize the board of estimate and apportionment of the city of New York, to hear, determine, audit and allow the alleged claim of John W. Carpenter for services alleged to have been rendered between the first day of January, 1900, and the first day of October, 1900, inclusive, as clerk of the Municipal Court of said city in the third district of the borough of Brooklyn," was returned by the mayor of the city of New York with a certificate that a public hearing had been duly held in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 918, Senate reprint No. 721, Rec. No. 115), entitled "An act to amend the Forest, Fish and Game Law, in relation to the powers of the supervisors in certain counties in respect to nets, pounds and other illegal devices."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly,

with a message that the Senate has concurred in the passage of the same.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, APRIL 3, 1907.

The Senate met pursuant to adjournment.

The Temporary President in the chair.

Prayer by Rev. F. St. George McLean.

The journal of yesterday was read and approved.

Mr. Travis introduced a bill (Int. No. 868) entitled "An act to authorize the city of New York to acquire lands on Prospect Heights in the borough of Brooklyn as sites for public buildings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 869) entitled "An act to amend section 2 of title 1 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 870) entitled "An act to amend section 2 of title 10 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' as amended by chapter 174 of the Laws of 1899 and chapter 207 of the Laws of 1903, in relation to the care of sick and disabled poor in hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Taylor introduced a bill (Int. No. 871) entitled "An act to release certain State lands to the city of Middletown and town

of Wallkill, respectively, in the county of Orange, upon certain conditions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Emerson introduced a bill (Int. No. 872) entitled "An act to amend the Navigation Law, relative to the deposit of dead animals, and rafting in Lake George," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Davis introduced a bill (Int. No. 873) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 874) entitled "An act to amend the Labor Law, relative to the employment of women and minors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Harte introduced a bill (Int. No. 875) entitled "An act to amend the Greater New York charter, relative to employees of water works companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 876) entitled "An act to amend the Greater New York charter, in relation to the tenement-house department of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Agnew introduced a bill (Int. No. 877) entitled "An act concerning relief and pension fund of the tenement-house department of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Emerson introduced a bill (Int. No. 878) entitled "An act to amend the Forest, Fish and Game Law, in relation to the transportation of the carcasses and venison of domesticated deer," which was read the first time, and by unanimous consent was also

read the second time, and referred to the committee on forest, fish and game laws.

The Assembly sent for concurrence the bill (No. 1791, Rec. No. 401) entitled "An act to amend the Greater New York charter, relative to powers and duties of borough presidents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1758, Rec. No. 403) entitled "An act to amend and consolidate the several acts relating to the department of public instruction in the city of Utica, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1574, Rec. No. 404) entitled "An act to repeal section 123 of the Forest, Fish and Game Law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1325, Rec. No. 405) entitled "An act to incorporate the Barryville and Shohola Suspension Bridge Company in Sullivan county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1582, Rec. No. 406) entitled "An act to amend the Forest, Fish and Game Law, in relation to taking certain fish in the waters of Silver lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1790, Rec. No. 407) entitled "An act to amend the Code of Criminal Procedure, relative to the appointment and compensation of expert witnesses where the defendant is charged with a crime punishable by death and is wholly destitute," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1733, Rec. No. 408) entitled "An act to amend chapter 241 of the Laws of 1883, entitled 'An act to incorporate the International Committee of Young Men's Chris-

tian Associations,' in relation to amount of property to be held by such committee," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1732, Rec. No. 409) entitled "An act to amend chapter 350 of the Laws of 1866, entitled 'An act to incorporate the Young Men's Christian Association of the city of New York,' in relation to the amount of property to be held by such association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1724, Rec. No. 410) entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1730, Rec. No. 411) entitled "An act to amend the Greater New York charter, relative to police clerks, first division, and second division," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1756, Rec. No. 412) entitled "An act to amend the Insurance Law, relative to investments and loans by surety company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, the bill (No. 584, Rec. No. 413) entitled "An act to amend the Highway Law, in relation to highway accounts and reports of highway receipts and expenditures to the State Engineer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 718, Rec. No. 414) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit and allow the claim of the Ulvalde Asphalt Paving Company for compensation for work, labor and services rendered and for materials and supplies furnished to the city of New York at the request, order and

direction of the chief engineer of the bureau of highways of the borough of Manhattan, the commissioner of public works of the borough of Manhattan and the president of the borough of Manhattan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1366, Rec. No. 415) entitled "An act empowering union free school district No. 1 of the town of White Plains, N. Y., to acquire land for the purpose of an athletic field," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill (No. 1669, Rec. No. 416) entitled "An act to authorize the city of Fulton to borrow money for the purchase of new hose for the fire department of such city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Also, the bill (No. 1367, Rec. No. 417) entitled "An act to amend the Public Health Law, in relation to the payment of expenses of health officers in attending sanitary conferences," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, the bill (No. 1245, Rec. No. 418) entitled "An act to provide for the payment of the claim of James R. F. Kelly, deceased, and William D. Kelly, against the city of New York, for work and labor done and services rendered and materials furnished for a sewer in Potter place and on East Two Hundred and Fourth street in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Franchot (No. 1033, Int. No. 832), entitled "An act authorizing the city of Lockport to raise money to pay and satisfy a final judgment, and to settle a cause of action existing against the city of Lockport, the result of personal injuries sustained by Edward Moore on

account of the negligence of said city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

The Assembly sent for concurrence the bill (No. 1746, Rec. No. 402) entitled "An act authorizing the city of Lockport to raise money to pay and satisfy a final judgment, and to settle a cause of action existing against the city of Lockport, the result of personal injuries sustained by Edward Moore on account of the negligence of said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Franchot, and by unanimous consent, said bill was substituted for Senate bill (No. 1033, Int. No. 832), now on the order of third reading.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 1018, Int. No. 596), entitled "An act to amend an act, entitled 'An act to provide for supplying the village of White Plains with water and authorizing the issue of bonds therefor and to create a board of water commissioners for said village,' being chapter 769 of the Laws of 1896."

Also, Senate bill (No. 1022, Int. No. 739) entitled "An act to amend chapter 834 of the Laws of 1869, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson,' generally."

Also, Senate bill (No. 1019, Int. No. 306) entitled "An act to amend section 58 of chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws, as amended by chapter 539 of the Laws of 1899, and by chapter 380 of the Laws of 1906,' in relation to the appointment of special policemen."

Also, Senate bill (No. 1023, Int. No. 654) entitled "An act to amend the County Law, in relation to the custody and care of minors in county jails."

Also, Senate bill (No. 1021, Int. No. 95) entitled "An act to amend chapter 468 of the Laws of 1894, entitled 'An act to provide for the establishment of a home for the aged and dependent veteran and his wife, veterans' mothers, widows, and army nurses, residents of New York.'"

Also, Senate bill (No. 1017, Int. No. 366) entitled "An act authorizing the audit and allowance of the claim of John J. Scannell against the city of New York, for his costs, counsel fees and expenses paid in successfully defending himself against certain indictments filed against him during his term of office as fire commissioner in said city."

Also, Senate bill (No. 1015, Int. No. 452) entitled "An act making an appropriation toward rebuilding the State Normal School at New Paltz and authorizing an exchange of sites."

Also, Senate bill (No. 859, Int. No. 717) entitled "An act to change the name of 'Home of the Friendless of Schenectady' to 'Old Ladies' Home of Schenectady.'"

Also, Senate bill (No. 942, Int. No. 768) entitled "An act to amend chapter 91 of the Laws of 1895, entitled 'An act to amend the incorporation of "The Society of the War of 1812,"' in relation to merger of council and board of directors, eligibility, appointment to and oath of office and use of armories."

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Foelker (No. 985, Int. No. 521), entitled "An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Grady moved that the said bill be recommitted to the committee on affairs of cities, retaining its place in the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wilcox, from the committee on railroads, to which was referred the Assembly bill introduced by Mr. Surpless (No. 1275, Rec. No. 238), entitled "An act to amend the Railroad Law, in relation to imposing on certain railroad corporations in cities of the first class the duty of placing upon cars the name of the operating company," reported the same to the Senate with amendments.

On motion of Mr. Wilcox, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on railroads.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Foelker (No. 19, Int. No. 19), entitled "An act to regulate street railway fares in the borough of Brooklyn in the city of New York," reported the same to the Senate with amendments, the title being amended to read as follows: "An act to regulate street railway fares in the State of New York."

On motion of Mr. Wilcox, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on railroads.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Tully (No. 849, Int. No. 709), entitled "An act to amend chapter 288 of the Laws of 1906, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Tully, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. C. F. Foley (No. 1155, Rec. No. 247), entitled "An act authorizing the city of Lockport to raise money to pay and satisfy a final judgment, and to settle a cause of action existing against the city of Lockport, the result of personal injuries sustained by William Thorman on account of the negligence of said city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hinman (No. 994, Int. No. 808), entitled "An act to amend the charter of the city of Cortland, in relation to conferring on the common council of such city certain additional powers," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 969,

Int. No. 791), entitled "An act to authorize the city of Utica to borrow money for the purpose of erecting and equipping a new fire station in the Twelfth ward of the city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ackroyd, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No. 967, Int. No. 789), entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' " reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Hart (No. 1725, Rec. No. 384), entitled "An act to provide a park board in and for the city of Utica," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hinman (No. 993, Int. No. 807), entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton,' and the several acts amendatory thereof, relative to appointment of officers and salaries of treasurer and clerk," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Rogers (No. 1078, Rec. No. 256), entitled "An act to authorize the city of Binghamton to expend a sum of money not exceeding \$70,000, for the improvement and regulation of the flow of the Chenango river at the city of Binghamton, N. Y., and to issue bonds therefor," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hinman (No. 992, Int. No. 806), entitled "An act to establish and maintain a water department in and for the city of Cortland," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 675, Int. No. 584), entitled "An act to authorize the city of Utica and the various departments thereof to make up and levy a tax budget during the year 1907," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ackroyd, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. F. C. Whitney (No. 1558, Rec. No. 369), entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' in relation to the liability of the city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. F. C. Whitney (No. 1455, Rec. No. 370), entitled "An act to authorize the city of Oswego to cancel certain local assessments," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Baldwin (No. 1039, Rec. No. 130), entitled "An act to amend chapter 684 of the Laws of 1905, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' in relation to street improvement and publication of notice," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Filley (No. 1523, Rec. No. 302), entitled "An act to amend chapter 488 of the Laws of 1905, entitled 'An act to establish a firemen's pension fund in the city of Troy, and providing for the payment of pensions therefrom,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Hart (No. 993, Senate reprint No. 847, Rec. No. 201), entitled "An act in relation to certain grade crossings in the city of Utica," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Assembly bill (No. 614, Rec. No. 363) entitled "An act to change the name of the First Baptist Church of Harpersfield, N. Y., to the First Baptist Church of Stamford, N. Y.," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 979, Rec. No. 296) entitled "An act to amend chapter 205 of the Laws of 1906, entitled 'An act to incorporate the trustees of the William Croswell Doane fund for

Christian work in the diocese of Albany,' in relation to the objects of such corporation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

40

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1227, Rec. No. 205) entitled "An act to amend the Executive Law, in relation to the appointment of commissioners of deeds in other States, territories and foreign countries," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1195, Rec. No. 267) entitled "An act authorizing the Supreme Court to grant leave to the Reformed Protestant Dutch Church of Gravesend in the borough of Brooklyn, city of New York, to convey without consideration its real property known as the Woodlawn chapel property to the Woodlawn Reformed Church in said borough of said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1242, Rec. No. 260) entitled "An act to legalize, ratify and confirm the acts and proceedings of the board of trustees of the village of Port Chester, in the county of Westchester, in the building and constructing of drains in King street, Poningo street, Clark street, Parker street, Maple place, Seymour road, Bush avenue and Bulkley avenue in said village, and to legalize and confirm the bonds issued or to be issued for the payment of the expense of doing said work," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1471, Rec. No. 361) entitled "An act to incorporate Russel Sage Foundation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1334, Rec. No. 289) entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, N. Y., in constructing sewers in Edson street, Duerstein avenue and Burch avenue in said town of West Seneca, and making assessments therefor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 942, Int. No. 768) entitled "An act to amend chapter 91 of the Laws of 1895, entitled 'An act to amend the incorporation of "The Society of the War of 1812,"' in relation to merger of council and board of directors, eligibility, appointment to and oath of office and use of armories," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 878, Int. No. 734) entitled "An act to amend the Greater New York charter, relative to granting of authority to the commissioners of the sinking fund, subject to the approval of the board of estimate and apportionment, to exchange lands of the city of New York no longer required for a public

purpose, for the lands of private owners needed for a public purpose lying with the same borough," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | Mullaney | Sullivan |
| Allds | Cullen | Harte | Owens | Thompson |
| Armstrong | Davis | Hasenflug | Raines | Travis |
| Boyce | Dunn | Heacock | Ramsperger | Tully |
| Burr | Emerson | Hill | Saxe | Wemple |
| Carpenter | Fancher | Hooker | Smith | White |
| Cassidy | Franchot | McCall | Sohmer | Wilcox |
| Cohalan | Frawley | McCarren | ■ | |

38

FOR THE NEGATIVE.

| | | | |
|--------|-----------|-------|--------|
| Fuller | Gilchrist | Grady | Hinman |
|--------|-----------|-------|--------|

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 859, Int. No. 717) entitled "An act to change the name of 'Home of the Friendless of Schenectady' to 'Old Ladies' Home of Schenectady,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1018, Int. No. 596) entitled "An act to amend an act, entitled 'An act to provide for supplying the village of White Plains with water and authorizing the issue of bonds therefor and to create a board of water commissioners for said village,' being chapter 769 of the Laws of 1896," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Aakroyd | Cordts | Gates | McCall | Bohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allis | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1022, Int. No. 739) entitled "An act to amend chapter 834 of the Laws of 1869, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Aakroyd | Cordts | Gates | McCall | Bohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allis | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1023, Int. No. 654) entitled "An act to amend the County Law, in relation to the care and custody of minors in county jails," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|-----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1021, Int. No. 95) entitled "An act to amend chapter 468 of the Laws of 1894, entitled 'An act to provide for the establishment of a home for the aged and dependent veteran and his wife, veterans' mothers, widows, and army nurses, residents of New York,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |

| | | | | |
|-----------|----------|---------|------------|--------|
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1017, Int. No. 366) entitled "An act authorizing the audit and allowance of the claim of John J. Scannell against the city of New York for his costs, counsel fees and expenses paid in successfully defending himself against certain indictments filed against him during his term of office as fire commissioner in said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Aekroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Allds | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1015, Int. No. 452) entitled "An act making an appropriation for rebuilding the State Normal School at New Paltz and authorizing an exchange of sites," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Sullivan |
| Alida | Davis | Grady | Mullaney | Taylor |
| Armstrong | Dunn | Grattan | O'Neil | Thompson |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Page | Tully |
| Carpenter | Foelker | Heacock | Raines | Wemple |
| Cassidy | Franchot | Hill | Ramsperger | White |
| Cobb | Frawley | Hinman | Saxe | Wilcox |
| Cohalan | Fuller | Hooker | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1565, Rec. No. 319) entitled "An act to establish a police pension fund for the city of Newburg," having been announced for third reading, Mr. Taylor moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 4, line 15, strike out the word "all" and insert the words "the net" and after the word "moneys" strike out the balance of the line.

Same page, strike out all of the lines 16, 17, 18, 19 and line 20 to and including the word "beer" and in lieu thereof insert the words "belonging to and received by the city of Newburg under the provisions of the liquor tax law."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 656, Int. No. 568) entitled "An act to regulate car service on street surface railroad in the county and borough of Queens," having been announced for third reading, Mr. Harte moved that said bill be recommitted to the committee on railroads, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 6, stike out the comma.

Page 2, line 8, strike out the words "state of New York" and insert the words "county of Queens".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wilcox, from the committee on railroads, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Hill moved that the committee on finance be discharged from the consideration of Senate bill (No. 628, Int. No. 543) entitled "An act to amend the Tax Law, relative to investments in State bonds by certain corporations," and that said bill be amended, reprinted and recommitted to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Page moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 199, Int. No. 192) entitled "An act to amend chapter 740 of the Laws of 1896, as amended by chapter 676 of the Laws of 1901, entitled 'An act to amend the charter of the Hebrew Bénévolent and Orphan Asylum Society of the City of New York, and to authorize its appointment as general guardian of the person and property of infants under its care and control,'" and that said bill be amended, reprinted and recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Page moved that the committee of the whole be discharged from the consideration of Senate bill (No. 904, Int. No. 259) entitled "An act to amend the Consolidated School Law, by abolishing the office of school commissioner, creating the office of district superintendent of schools and prescribing the powers, duties and responsibilities of such superintendent," and that said bill be recommitted to the committee on public education, retaining its place in the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill moved to take from the table the motion to reconsider the vote by which the Senate bill (No. 562, Int. No. 255) entitled "An act to amend the Code of Civil Procedure, in relation to the appointment of special deputy clerks," was lost.

Mr. Grady raised the point of order that the Senate being in

the order of "Motions and Resolutions," the said motion to take from the table is not in order.

The temporary President decided the point of order well taken.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 636, Int. No. 531), entitled "An act to revise the charter of the city of North Tonawanda."

(2) Senate (No. 118, Int. No. 116), entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to tax leases."

(3) Senate (No. 983, Int. No. 156), entitled "An act to amend chapter 258 of the Laws of 1900, entitled 'An act in relation to the Court of Appeals law library at Rochester,' relative to librarians."

(4) Assembly (No. 199, Senate reprint No. 1024, Rec. No. 22), entitled "An act to authorize the comptroller of the city of New York in his discretion to examine into the facts concerning the services rendered by Hector McNeile as clerk to a coroner of Kings county, and to provide for the payment of such claim."

(5) Assembly (No. 931, Rec. No. 263), entitled "An act to amend the Village Law, relative to time when assessment-roll may be inspected."

(6) Assembly (No. 1589, Rec. No. 306), entitled "An act to amend chapter 87 of the Laws of 1893, entitled 'An act to amend chapter 335 of the Laws of 1868, entitled "An act to incorporate the city of Ogdensburg," and the acts amending the same,' in relation to construction of sidewalks and curbing and to provide for the payment thereof."

(7) Senate (No. 1044, Int. No. 411), entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act."

(8) Assembly (No. 847, Senate reprint No. 1048, Rec. No. 116), entitled "An act in relation to the use of bicycles on side-

paths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths in Suffolk county."

(9) Assembly (No. 1049, Senate reprint No. 848, Rec. No. 143), entitled "An act to amend chapter 705 of the Laws of 1901, entitled 'An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office,' generally."

(10) Assembly (No. 1595, Rec. No. 329), entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the compensation of the deputy clerks, assistant clerk, record clerks and attendants of the Court of General Sessions of the Peace in and for the county of New York."

(11) Assembly (No. 1122, Rec. No. 349), entitled "An act in relation to employees in the Queens county jail, and fixing their compensation."

(12) Assembly (No. 697, Rec. No. 68), entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in certain tributaries of Lake Ontario."

(13) Senate (No. 1075, Int. No. 562), entitled "An act to amend the Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county and in Chenango county."

(14) Assembly (No. 1516, Rec. No. 294), entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream."

(15) Senate (No. 764, Int. No. 647), entitled "An act to incorporate the Hebrew Free Loan Association."

(16) Senate (No. 873, Int. No. 729), entitled "An act to amend chapter 415 of the Laws of 1897, as amended by chapter 255 of the Laws of 1903, and amended by chapter 490 of the Laws of 1906, known as the Labor Law, in relation to the hours of employment of minors in mercantile and other establishments."

(17) Senate (No. 886, Int. No. 738), entitled "An act to amend the Election Law, in relation to independent nominations."

(18) Assembly (No. 1637, Rec. No. 367), entitled "An act to amend the Primary Election Law, in relation to excepting first class cities from special enrollment and changing date when enrollment books shall be delivered."

(19) Senate (No. 1074, Int. No. 819), entitled "An act to amend section 260 of the Real Property Law, in relation to the authentication of certificates of acknowledgment or proof."

(20) Assembly (No. 1150, Rec. No. 174), entitled "An act to legalize, ratify and confirm the acts and proceedings of the board of trustees of the village of Port Chester, in the county of Westchester, in regulating, grading and paving Traverse avenue, a public highway of said village, and to legalize and confirm the bonds issued or to be issued for the payment of the portion of the expense chargeable to or payable by the said village."

(21) Senate (No. 1053, Int. No. 229), entitled "An act supplementary to chapter 107 of the Laws of 1821, entitled 'An act declaring a part of the Black river a public highway, and for other purposes,' passed March 16, 1821."

After some time spent therein, the President resumed the chair, and Mr. Hooker, from said committee, reported in favor of the passage of the above-named bills, the third-named bill with amendments, which report was agreed to, and said bills ordered to a third reading.

The Assembly returned the Assembly bill (No. 1268, Senate reprint No. 958, Rec. No. 212) entitled "An act creating the office of county attorney in and for certain counties."

Also, Assembly bill (No. 839, Senate reprint No. 926, Rec. No. 185) entitled "An act to amend chapter 233 of the Laws of 1884, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga, and for post-mortem examinations in coroners' cases in said county.'"

Also, Assembly bill (No. 1038, Senate reprint No. 928, Rec. No. 139) entitled "An act to repeal chapter 682 of the Laws of 1894, entitled 'An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery,' with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bills to the Assembly.

The Senate bill (No. 451, Int. No. 397) entitled "An act to provide for the payment of the claim of Henry Yonge and Thomas F. Donnelly for legal services performed by them in the matter of the investigation conducted before Hon. Edward M. Grout, comptroller of New York city, pursuant to section 149 of the New York city charter, as to the justness of certain claims presented by the New York Edison Company for supplying electric light to the public buildings in the boroughs of Manhattan and The Bronx and also lighting the streets in the same boroughs, from the 1st day of January, 1903, to the 10th day of March, 1904, and also as to the justness of certain claims presented by the Consolidated Gas Company for supplying gas, lamplighting and gaslight to public buildings in the borough of Manhattan from the 1st day of January, 1903, to the 15th day of March, 1904," was returned by the mayor of the city of New York with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the Senate bill (No. 230, Int. No. 221) entitled "An act to permit the board of estimate and apportionment of the city of New York to place a portion of Lincoln road in the borough of Brooklyn under the care, custody, control and maintenance of the department of parks of the city of New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 462, Int. No. 408) entitled "An act to provide for the indexing of the records and maps of the county of Westchester, affecting title to real estate now within the county of New York, heretofore deposited or filed in the office of the register of the county of New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, APRIL 4, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. H. Mangan.

The journal of yesterday was read and approved.

Mr. Saxe introduced a bill (Int. No. 879) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' relative to advertising for proposals for contracts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grattan introduced a bill (Int. No. 880) entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to public markets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cobb introduced a bill (Int. No. 881) entitled "An act to amend the Highway Law, in relation to State aid in towns under the money system," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Hooker introduced a bill (Int. No. 882) entitled "An act to amend chapter 371 of the Laws of 1893, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville and to revise and amend the charter of said village

and to repeal certain acts and parts of acts,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Hill introduced a bill (Int. No. 883) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of George W. Maltby against the State of New York, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ramsperger introduced a bill (Int. No. 884) entitled "An act to amend the Liquor Tax Law, in relation to excise taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 885) entitled "An act admitting Peter C. Meyers to practice as an attorney and counsellor at law in the courts of record of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Travis introduced a bill (Int. No. 886) entitled "An act to amend the Forest, Fish and Game Law, relative to private parks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Gates introduced a bill (Int. No. 887) entitled "An act to amend the Forest, Fish and Game Law, relative to the protection of trout in any of the waters of the county of Madison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, a bill (Int. No. 888) entitled "An act for the prevention of intemperance, pauperism and crime," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Cohalan introduced a bill (Int. No. 889) entitled "An act to authorize the comptroller of the city of New York in his discretion to examine into the facts concerning the claim of the Church of St. Philip Neri for the repayment to it of certain

moneys paid for an assessment upon its property situated in the Twenty-fourth ward of said city, borough of the Bronx," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 890) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to compromise, settle, cancel and annul certain taxes and assessments affecting property situate in the borough of the Bronx in the city of New York, the legal title to which is in the name of James A. Mullin, pastor of the Church of the Sacred Heart, in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Heacock introduced a bill (Int. No. 891) entitled "An act to incorporate the United Fellowship of Good Samaritans," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hasenflug introduced a bill (Int. No. 892) entitled "An act to legalize the acts of Jacob W. Kahn, a commissioner of deeds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McManus introduced a bill (Int. No. 893) entitled "An act to amend the Greater New York charter, relative to the department of health pension fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 894) entitled "An act to authorize the commissioner of docks and ferries of the city of New York, in his discretion, to rehear the charges upon which Henry Head, formerly an engineman in the department of docks and ferries, was dismissed from the said department in the year 1905, and in his discretion to reinstate the said Henry Head to the position formerly held by him," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 895) entitled "An act for the relief of John J. O'Brien, formerly superintendent of streets and roads

to the insurance of automobiles," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cordts, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. Boyce (No. 914, Int. No. 755), entitled "An act to amend an act, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' being chapter 146 of the Laws of 1856," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Boyce moved that said bill be recommitted to the committee on commerce and navigation for a hearing, retaining its place in the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Fancher, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Hill (No. 970, Int. No. 792), entitled "An act to amend section 201 of the Insurance Law, in relation to the designation of beneficiaries," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cordts, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. Davis (No. 775, Int. No. 659), entitled "An act to amend chapter 592 of the Laws of 1897, entitled 'An act in relation to navigation, constituting chapter 30 of the General Laws,' authorizing temporary assignments of the inspectors of steam vessels to the department of labor," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Fancher, from the committee on insurance, to which was referred the Assembly bill introduced by Mr. Stanley (No. 1756, Rec. No. 412), entitled "An act to amend the Insurance Law, relative to investments and loans by surety company," reported

in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Davis (No. 865, Int. No. 723), entitled "An act to amend section 750 of the Code of Criminal Procedure of the State of New York, in relation to appeals," reported the same, with amendments, for the consideration of the Senate.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Agnew (No. 33, Int. No. 33), entitled "An act to amend the Penal Code, relative to violations of provisions of the Labor Law," reported the same for consideration of the Senate.

Ordered, That said bill be committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Stratton (No. 1514, Rec. No. 324), entitled "An act to amend the Code of Civil Procedure, in relation to sheriffs' fees and placing causes on the calendar," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill (No. 1381, Rec. No. 236), entitled "An act to amend the Penal Code, in relation to the punishment of children under sixteen years of age," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Keller (No. 1134, Rec. No. 159), entitled "An act to amend the Code of Civil Procedure, in relation to the sale of perishable property levied by virtue of an execution," reported the same for the consideration of the Senate.

Ordered, That said bill be committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Filley (No. 1051, Rec. No. 155), entitled "An act to amend the Code of Civil Procedure, relating to notices of trial and notes of issue," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Cunningham (No. 62, Rec. No. 331), entitled "An act to amend the Penal Code, relative to punishment for murder in the second degree," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. J. A. Foley (No. 958, Rec. No. 170), entitled "An act to repeal section 3 of chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to the removal of actions to courts of higher jurisdiction," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Patton (No. 1034, Rec. No. 146), entitled "An act to amend the Code of Civil Procedure, in relation to the appointment and salary of special deputy clerks in counties containing a city of the first class," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hooker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Francis (No. 1288, Rec. No. 244), entitled "An act to amend section 656 of the Penal Code, relating to abandoned animals," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxe (No. 852, Int. No. 695), entitled "An act to amend section 382 of the Code of Civil Procedure, relative to the statute of limitations," reported the same with amendments for the consideration of the Senate.

Ordered, That said bill be committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Harte (No. 605, Int. No. 520), entitled "An act to amend the Code of Civil Procedure, in relation to a stenographer for the County Court of Richmond county," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Harte, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Harte (No. 323, Int. No. 294), entitled "An act to amend the Code of Civil Procedure, relative to drawing of trial jurors in the county of Queens," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Taylor (No. 623, Int. No. 538), entitled "An act to amend the Code of Civil Procedure, relative to appointment of stenographers in certain counties," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Page (No. 359, Int. No. 326), entitled "An act to amend section 401 of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Foelker (No. 653, Int. No. 565), entitled "An act to amend the Penal Code, relative to the punishment for the crime of blackmail," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 1045, Int. No. 151), entitled "An act in relation to the Medical Society of the State of New York."

Also, Senate bill (No. 1027, Int. No. 642) entitled "An act to amend section 142 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter 707 of the Laws of 1900, in relation to divisions of taxes and assessments."

Also, Senate bill (No. 1046, Int. No. 439) entitled "An act to provide for iron gates for the protection of life on streets leading to the Gowanus canal in the borough of Brooklyn in the city of New York."

Also, Senate bill (No. 675, Int. No. 584) entitled "An act to authorize the city of Utica and the various departments thereof to make up and levy a tax budget during the year 1907."

Also, Senate bill (No. 969, Int. No. 791) entitled "An act to authorize the city of Utica to borrow money for the purpose of erecting and equipping a new fire station in the Twelfth ward of the city."

Also, Senate bill (No. 993, Int. No. 807) entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton,' and the several acts amendatory thereof, relative to appointment of officers and salaries of treasurer and clerk."

Also, Senate bill (No. 118, Int. No. 116) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to tax leases."

Also, Senate bill (No. 994, Int. No. 808) entitled "An act to amend the charter of the city of Cortland, in relation to conferring on the common council of such city certain additional powers."

Also, Senate bill (No. 764, Int. No. 647) entitled "An act to incorporate the Hebrew Free Loan Association."

amine into the facts concerning the services rendered by Hector McNeile as clerk to a coroner of Kings county, and to provide for the payment of such claim," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 931, Rec. No. 263) entitled "An act to amend the Village Law, relative to time when assessment-roll may be inspected," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill, No. 764, Int. No. 647, entitled "An act to organize the Highway Free Loan Association" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the basis of the numbers in its final form for three calendar months, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Schmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyer | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hassening | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cox | Frawley | Hinman | Ramsberger | White |
| Coxin | Fisher | Hogder | Saxe | Wilcox |
| Coxia | Gates | McClain | Smith | |

49

Ordered, That the Clerk follow call roll in the Assembly and in the Senate on the same day.

The Assembly bill, No. 1169, Int. No. 174, entitled "An act to legalize wills and confirm the acts and proceedings of the courts of probate of probate of probate in the county of Madison, and to legalize and confirm the acts and proceedings of the courts of probate of probate of probate in the county of Madison, and to legalize and confirm the acts and proceedings of the courts of probate of probate of probate in the county of Madison," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the basis of the numbers in its final form for three calendar months, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Schmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyer | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hassening | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |

part of the purchase price of its said system of water works,' relative to issuing bonds," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Cunningham (No. 937, Rec. No. 268), entitled "An act in relation to claims against the village of Ellenville for damages for personal injury or injury to property," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cordts, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 1330, Rec. No. 222), entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,' in relation to actions for damages arising from snow and ice upon sidewalks, crosswalks and streets in said village," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Fancher, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Tully (No. 894, Int. No. 746), entitled "An act to amend the Insurance Law, in relation to certificates of authority of agents, and the filing of such certificates," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fancher, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Tully (No. 895, Int. No. 747), entitled "An act to amend section 31 of the Insurance Law, relative to the filing and publication of statements," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fancher, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Saxe (No. 945, Int. No. 771), entitled "An act to amend the Insurance Law, relative

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Davis | Grady | McManus | Sohmer |
| Agnew | Dunn | Grattan | Mullaney | Sullivan |
| Boyce | Emerson | Harte | O'Neil | Taylor |
| Burr | Fancher | Hasenflug | Owens | Thompson |
| Carpenter | Foelker | Heacock | Page | Travis |
| Cassidy | Franchot | Hill | Raines | Tully |
| Cobb | Frawley | Hinman | Ramsperger | Wemple |
| Cohalan | Fuller | Hooker | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilchrist | McCarren | | |

48

FOR THE NEGATIVE.

Armstrong

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1122, Rec. No. 349) entitled "An act in relation to employees in the Queens county jail, and fixing their compensation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Davis | Grady | McManus | Sohmer |
| Agnew | Dunn | Grattan | Mullaney | Sullivan |
| Boyce | Emerson | Harte | O'Neil | Taylor |
| Burr | Fancher | Hasenflug | Owens | Thompson |
| Carpenter | Foelker | Heacock | Page | Travis |
| Cassidy | Franchot | Hill | Raines | Tully |
| Cobb | Frawley | Hinman | Ramsperger | Wemple |
| Cohalan | Fuller | Hooker | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilchrist | McCarren | | |

48

FOR THE NEGATIVE.

Armstrong

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 697, Rec. No. 68) entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in certain tributaries of Lake Ontario," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyer | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cobalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1589, Rec. No. 306) entitled "An act to amend chapter 87 of the Laws of 1893, entitled 'An act to amend chapter 335 of the Laws of 1868, entitled "An act to incorporate the city of Ogdensburg," and the acts amending the same,' in relation to construction of sidewalks and curbing and to provide for the payment thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyer | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Filley (No. 1051, Rec. No. 155), entitled "An act to amend the Code of Civil Procedure, relating to notices of trial and notes of issue," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Cunningham (No. 62, Rec. No. 331), entitled "An act to amend the Penal Code, relative to punishment for murder in the second degree," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. J. A. Foley (No. 958, Rec. No. 170), entitled "An act to repeal section 3 of chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to the removal of actions to courts of higher jurisdiction," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Patton (No. 1034, Rec. No. 146), entitled "An act to amend the Code of Civil Procedure, in relation to the appointment and salary of special deputy clerks in counties containing a city of the first class," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hooker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Francis (No. 1288, Rec. No. 244), entitled "An act to amend section 656 of the Penal Code, relating to abandoned animals," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxe (No. 852, Int. No. 695), entitled "An act to amend section 382 of the Code of Civil Procedure, relative to the statute of limitations," reported the same with amendments for the consideration of the Senate.

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 969, Int. No. 791) entitled "An act to authorize the city of Utica to borrow money for the purpose of erecting and equipping a new fire station in the twelfth ward of the city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 994, Int. No. 808) entitled "An act to amend the charter of the city of Cortland, in relation to conferring on the common council of such city certain additional powers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Harte (No. 322, Int. No. 293), entitled "An act to amend the Code of Civil Procedure, in relation to the qualifications of trial jurors in Queens county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Foelker (No. 654, Int. No. 566), entitled "An act to amend the Code of Criminal Procedure, relative to the punishment for the crime of extortion in certain cases," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to amend the Penal Code, relative to the punishment for the crime of extortion in certain cases," which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cordts, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. O'Neil (No. 1043, Int. No. 541), entitled "An act to incorporate the Long Sault Development Company and to authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault island, for the purpose of improving the navigation of the St. Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge and carry on the manufacture of commodities," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Fowler (No. 1753, Rec. No. 381), entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties,"' in relation to the salary of clerk," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Assembly bill (No. 199, Senate reprint No. 1024, Rec. No. 22), entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to ex-

amine into the facts concerning the services rendered by Hector McNeile as clerk to a coroner of Kings county, and to provide for the payment of such claim," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 931, Rec. No. 263) entitled "An act to amend the Village Law, relative to time when assessment-roll may be inspected," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 764, Int. No. 647) entitled "An act to incorporate the Hebrew Free Loan Association," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1150, Rec. No. 174) entitled "An act to legalize, ratify and confirm the acts and proceedings of the board of trustees of the village of Port Chester, in the county of Westchester, in regulating, grading and paving Traverse avenue, a public highway of said village, and to legalize and confirm the bonds issued or to be issued for the payment of the portion of the expense chargeable to or payable by the said village," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |

| | | | | |
|---------|----------|--------|------------|--------|
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | 49 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1049, Senate reprint No. 848, Rec. No. 143) entitled "An act to amend chapter 705 of the Laws of 1901, entitled 'An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | 49 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 1595, Rec. No. 329) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the compensation of the deputy clerks, assistant clerk, record clerks and attendants of the Court of General Sessions of the Peace in and for the county of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Davis | Grady | McManus | Sohmer |
| Agnew | Dunn | Grattan | Mullaney | Sullivan |
| Boyce | Emerson | Harte | O'Neil | Taylor |
| Burr | Fancher | Hasenflug | Owens | Thompson |
| Carpenter | Foelker | Heacock | Page | Travis |
| Cassidy | Franchot | Hill | Raines | Tully |
| Cobb | Frawley | Hinman | Ramsperger | Wemple |
| Cohalan | Fuller | Hooker | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilchrist | McCarren | | |

48

FOR THE NEGATIVE.

Armstrong

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1122, Rec. No. 349) entitled "An act in relation to employees in the Queens county jail, and fixing their compensation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Davis | Grady | McManus | Sohmer |
| Agnew | Dunn | Grattan | Mullaney | Sullivan |
| Boyce | Emerson | Harte | O'Neil | Taylor |
| Burr | Fancher | Hasenflug | Owens | Thompson |
| Carpenter | Foelker | Heacock | Page | Travis |
| Cassidy | Franchot | Hill | Raines | Tully |
| Cobb | Frawley | Hinman | Ramsperger | Wemple |
| Cohalan | Fuller | Hooker | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilchrist | McCarren | | |

48

FOR THE NEGATIVE.

Armstrong

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 697, Rec. No. 68) entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in certain tributaries of Lake Ontario," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Jaxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1589, Rec. No. 306) entitled "An act to amend chapter 87 of the Laws of 1893, entitled 'An act to amend chapter 335 of the Laws of 1868, entitled "An act to incorporate the city of Ogdensburg," and the acts amending the same,' in relation to construction of sidewalks and curbing and to provide for the payment thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |

Cassidy
Cobb
Cohalan
Cordts

Franchot
Frawley
Fuller
Gates

Hill
Hinman
Hooker
McCall

Raines
Ramsperger
Saxe
Smith

Wemple
White
Wilcox

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 847, Senate reprint No. 1048, Rec. No. 116) entitled "An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths in Suffolk county," was read the third time.

The President put the question whether the Senate would agree to the final pas-age of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Ackroyd
Agnew
Armstrong
Royce
Burr
Carpenter
Cassidy
Cobb
Cohalan
Cordts

Cullen
Davis
Dunn
Emerson
Fancher
Foelker
Franchot
Frawley
Fuller
Gates

Gilchrist
Grady
Grattan
Harte
Hasenflug
Heacock
Hill
Hinman
Hooker
McCall

McCarren
McManus
Mullaney
O'Neil
Owens
Page
Raines
Ramsperger
Saxe
Smith

Sohmer
Sullivan
Taylor
Thompson
Travis
Tully
Wemple
White
Wilcox

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same with amendments.

The Senate bill (No. 675, Int. No. 584) entitled "An act to authorize the city of Utica and the various departments thereof to make up and levy a tax budget during the year 1907." was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 969, Int. No. 791) entitled "An act to authorize the city of Utica to borrow money for the purpose of erecting and equipping a new fire station in the twelfth ward of the city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 994, Int. No. 808) entitled "An act to amend the charter of the city of Cortland, in relation to conferring on the common council of such city certain additional powers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|-------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger] | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 993, Int. No. 807) entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton,' and the several acts amendatory thereof, relative to appointment of officers and salaries of treasurer and clerk," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 118, Int. No. 116) entitled "An act to amend chapter 282 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to tax leases," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1558, Rec. No. 369) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' in relation to the liability of the city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1455, Rec. No. 370) entitled "An

act to authorize the city of Oswego to cancel certain local assessments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|------------|----------|-----------|------------|----------|
| Ackroyd] | Cullen | Gilchrist | McCarren | Sohmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong] | Dunn | Grattan | Mullaney | Taylor] |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter] | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hinman | Ramsperger | White |
| Cohalan | Fuller | Hooker | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1155, Rec. No. 247) entitled "An act authorizing the city of Lockport to raise money to pay and satisfy a final judgment, and to settle a cause of action, existing against the city of Lockport, the result of personal injuries sustained by William Thorman on account of the negligence of said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1046, Int. No. 439) entitled "An act to provide for iron gates for the protection of life on streets leading to the Gowanus canal in the borough of Brooklyn in the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1272, Senate reprint No. 1047, Rec. No. 242) entitled "An act to regulate the taking of deposits by certain persons, firms and corporations," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |

| | | | | |
|---------|-----------|--------|------------|--------|
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 1746, Rec. No. 402) entitled "An act authorizing the city of Lockport to raise money to pay and satisfy a final judgment, and to settle a cause of action existing against the city of Lockport, the result of personal injuries sustained by Edward Moore on account of the negligence of said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenfug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1669, Rec. No. 416) entitled "An act to authorize the city of Fulton to borrow money for the purchase of new hose for the fire department of such city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1045, Rec. No. 151) entitled "An act in relation to the Medical Society of the State of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1278, Senate reprint No. 1049, Rec. No. 293) entitled "An act to amend the Agricultural Law, in relation to the powers and duties of the Commissioner of Agriculture," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar

legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1027, Int. No. 642) entitled "An act to amend section 142 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter 707 of the Laws of 1900, in relation to divisions of taxes and assessments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Fancher | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 359, Rec. No. 32) entitled "An act to amend chapter 57 of the Laws of 1888, entitled 'An act for the preservation of public records, maps and papers,' in relation to

the compensation of persons employed in such work," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|---------|-----------|-----------|------------|----------|
| Ackroyd | Dunn | Grady | McCarren | Smith |
| Boyce | Emerson | Grattan | McManus | Sohmer |
| Burr | Fancher | Harte | Mullaney | Sullivan |
| Cobb | Foelker | Hasenflug | Owens | Taylor |
| Cohalan | Frawley | Heacock | Ramsperger | Thompson |
| Cordts | Gates | McCall | Saxe | Wilcox |
| Cullen | Gilchrist | | | |

32

FOR THE NEGATIVE.

| | | | | |
|-----------|--------|--------|--------|--------|
| Agnew | Fuller | O'Neil | Raines | Wemple |
| Armstrong | Hinman | Page | Tully | White |
| Franchot | Hooker | | | |

12

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 873, Int. No. 729) entitled "An act to amend chapter 415 of the Laws of 1897, as amended by chapter 255 of the Laws of 1903, and amended by chapter 490 of the Laws of 1906, known as the Labor Law, in relation to the hours of employment of minors in mercantile and other establishments," having been announced for third reading, Mr. Fuller moved that said bill be recommitted to the committee on the judiciary for a hearing, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis offered the following:

Whereas, The Governor has transmitted to the Senate a message under date of February 20, 1907, recommending the removal of Otto Kelsey from the office of Superintendent of Insurance, and

Whereas, Said message was referred to the judiciary committee, therefore,

Resolved, That the judiciary committee of the Senate be, and they hereby are, authorized and empowered to administer oaths, issue subpoenas, hear counsel, employ a stenographer and have the testimony and proceedings in said matter printed.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Fancher | Heacock | Owens | Thompson |
| Carpenter | Foelker | Hill | Page | Travis |
| Cassidy | Franchot | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | Saxe | Wilcox |
| Cordts | Gilchrist | McCall | | |

48

Mr. Hill offered the following:

Concurrent resolution of Senate and Assembly of the State of New York authorizing the appointment of a commission to confer with commissioners of the State of Vermont and the Dominion of Canada, in relation to the observance of the ter-centenary of the discovery of Lake Champlain;

Whereas, The discovery of Lake Champlain by Samuel de Champlain, on July 4, 1609, antedates the discovery by the whites of any other portion of the territory now comprising the State of New York, and was an event worthy of commemoration in the annals of the State and Nation, and

Whereas, The State of Vermont, in 1906, appointed a commission consisting of the Governor of that State, and six other commissioners to confer with commissioners to be appointed on the part of New York and the Dominion of Canada, to ascertain what action, if any, ought to be taken by such States and the Dominion of Canada for the observance of such ter-centenary; therefore,

Resolved (if the Assembly concur), That a commission consisting of the Governor, who shall be chairman, ex officio, the Lieutenant-Governor, the Speaker of the Assembly, two Senators, to be designated by the Lieutenant-Governor, and two members of the Assembly, to be designated by the Speaker, be appointed to represent the State of New York at such conference, with power to enter into negotiations with the commissioners representing the State of Vermont and those representing the Dominion of Canada for the observance of such ter-centenary, that such commission report the results of their negotiations,

together with their recommendations thereon to the Legislature of 1908;

That such commissioners receive no pay for their services, and that their necessary expenses be paid by the State, but such payment shall not exceed the amount expressly appropriated therefor.

Ordered, That said resolution be laid over under the rules.

Mr. Burr moved that the committee of the whole be discharged from the consideration of Assembly bill (No. 1271, Rec. No. 237) entitled "An act to amend the Railroad Law, in relation to the collection of fare on certain surface railroads," and that said bill be amended, reprinted and recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wemple moved that the committee on insurance be discharged from the consideration of Senate bill (No. 987, Int. No. 801) entitled "An act to amend chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporations, constituting chapter 38 of the general laws,' as amended by chapter 543 of the Laws of 1904, and by chapter 326 of the Laws of 1906, relating to securities guaranty corporations," and that said bill be amended, reprinted and recommitted to the committee on insurance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Neil moved that the committee of the whole be discharged from the consideration of Senate bill (No. 779, Int. No. 649) entitled "An act to establish the City Court of the city of Ogdensburg and relating to the recorder of such city and his court," and that said bill be recommitted to the committee on affairs of cities, retaining its place in the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Thompson moved that the committee of the whole be discharged from the consideration of Senate bill (No. 906, Int. No. 445) entitled "An act to amend chapter 706 of the Laws of 1901, relative to additional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation.

thereof," and that said bill be amended, reprinted and recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Agnew moved that the committee on codes be discharged from the consideration of Senate bill (No. 1000, Int. No. 815) entitled "An act to amend subdivision 6 of section 639 of the Penal Code, relative to guide posts and signs erected upon a highway," and that said bill be amended, reprinted and recommitted to the committee on codes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1121, Rec. No. 176) entitled "An act to amend the uniform charter of cities of the second class, relative to salary of city engineer in certain cities," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1637, Rec. No. 367) entitled "An act to amend the Primary Election Law, in relation to excepting first class cities from special enrollment and changing date when enrollment books shall be delivered," having been announced for third reading, Mr. Wilson moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 6, after the word "class" insert "and cities of the third class to which this act has been made applicable pursuant to section fourteen".

Page 3, line 25, after the word "class" insert "and cities of the third class to which this act has been made applicable pursuant to section fourteen".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 288, Int. No. 89) entitled "An act to amend the Greater New York charter by providing for an appropriation for the repair and for the maintenance of the soldiers and sailors' monument in the borough of Manhattan," was returned by the mayor of the city of New York, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the Mayor had not accepted the same.

Mr. Saxe moved that the said bill and accompanying message of the Mayor be referred to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Saxe offered the following:

Resolved (if the Assembly concur), That the Senate bill (No. 557, Int. No. 184) entitled "An act to amend the Greater New York charter, in relation to conferring additional powers and jurisdiction upon the park board and the commissioner of parks for the boroughs of Manhattan and Richmond," be returned to the Governor.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution and bill to the Governor.

The Assembly returned the Assembly bill (No. 887, Senate reprint No. 930, Rec. No. 191) entitled "An act to legalize and confirm the organization and existence of common school district No. 9 of the towns of Sweden and Clarkson, and to legalize and confirm all proceedings of the board of trustees and legal voters of such common school district, relative to the levy of a tax and the issuance and sale of certain bonds of said district," with a

message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

Mr. Franchot offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 239, Int. No. 230) entitled "An act to amend chapter 294 of the Laws of 1904, entitled 'An act to make the office of sheriff of Orleans county a salaried one, in part, and to regulate the management thereof,' in relation to salary of under sheriff," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Assembly returned the Senate bill (No. 663, Int. No. 41) entitled "An act to amend section 1781 of the Code of Civil Procedure, in relation to actions against directors, etc., of a corporation for misconduct," with a message that they have concurred in the passage of the same. .

Ordered, That the Clerk deliver said bill to the Governor.

The President presented the report of the executive committee of the Prison Association of New York, which was laid upon the table and ordered printed.

(See Document.).

The President handed down two presentments of the grand jury of the county of New York, relative to burglaries and children's courts, respectively.

Ordered, That said presentments be referred to the committee on the judiciary.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, APRIL 5, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. W. Young.

The journal of yesterday was read and approved.

Mr. Allds introduced a bill (Int. No. 896) entitled "An act to amend section 53 of the Highway Law, in relation to State aid," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Owens introduced a bill (Int. No. 897) entitled "An act to amend section 1060 of chapter 378 of the Laws of 1897, known as the Greater New York charter, relating to the special and general school fund administered by the board of education of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Heacock introduced a bill (Int. No. 898) entitled "An act to amend an act, entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad, and to regulate the weight of rail and the fare on the same,' passed May 8, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Ackroyd introduced a bill (Int. No. 899) entitled "An act to authorize the mayor of the city of Utica, the several boards of trustees of the villages of New Hartford, Yorkville and Whitesboro, and the several town boards of the towns of New Hartford, Whitestown and Deerfield, in the county of Oneida, to appoint a commission to investigate plans for developing or acquiring a municipal or public water supply for said city, towns and villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tully introduced a bill (Int. No. 900) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Emma B. Park against the State for damages alleged to have been sustained by her and to render

judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence the bill (No. 1914, Rec. No. 427) entitled "An act to amend chapter 232 of the Laws of 1904, entitled 'An act relating to commissioners of jurors for each county of the State having a certain population and regulating and prescribing his duties, and also providing in what manner juries shall be made up and jurors drawn in courts of record in such counties; how they may be exempted or excused and the length of service of such jurors,' relative to compensation of assessors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1522, Rec. No. 428) entitled "An act to amend chapter 256 of the Laws of 1900, entitled 'An act to provide for the erection of an armory in the city of Buffalo, for the use of the Sixty-fifth Regiment, National Guard, and making an appropriation therefor, providing for the purchase of a site for such armory and the taking of real estate therefor,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1013, Rec. No. 429) entitled "An act to amend the Code of Civil Procedure, relative to exemptions of jurors from service," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1860, Rec. No. 430) entitled "An act to amend the Domestic Relations Law, relating to the liability of married women for necessities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1865, Rec. No. 431) entitled "An act to amend the Consolidated School Law, in relation to the apportionment of State school moneys," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1736, Rec. No. 432) entitled "An act cre-

ating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1675, Rec. No. 433) entitled "An act to amend the Penal Code, in relation to restricting the powers of peace officers in respect to photographs and measurements of prisoners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1907, Rec. No. 434) entitled "An act to amend the County Law, in relation to the compensation of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1161, Rec. No. 435) entitled "An act to amend the Code of Civil Procedure, relative to exclusion of jurors from the courtroom during argument of certain motions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1908, Rec. No. 436) entitled "An act to amend the Tax Law, in relation to the exemption of corporations engaged in raising agricultural products from taxation on capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 1959, Rec. No. 437) entitled "An act to amend the Penal Code, in relation to selling merchandise in bulk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1709, Rec. No. 438) entitled "An act to amend chapter 275 of the Laws of 1899, entitled 'An act to revise the charter of the city of Gloversville,' giving the common council authority to make an annual appropriation to the Nathan

Littauer Hospital Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1862, Rec. No. 439) entitled "An act to amend chapter 734 of the Laws of 1904, entitled 'An act to establish a permanent commission for the regulation of the flow of water-courses in this State in aid of the public health and safety, to be known as the river improvement commission,' in relation to authority of commission to perform the work and to issue certificates and bonds in payment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1957, Rec. No. 440) entitled "An act approving a final order made on the 15th day of March in the year 1907, by the State Water Supply Commission, pursuant to chapter 734 of the Laws of 1904, as amended by chapter 418 of the Laws of 1906, for the improvement and regulation of the flow of Canaseraga creek, in the towns of North Dansville, Sparta, West Sparta, Groveland and Mount Morris, in the county of Livingston, and authorizing the work of such improvement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 529, Rec. No. 441) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Richard Dillon, a policeman of the second grade, for reinstatement in said department," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Grady, and by unanimous consent, said bill was substituted for Senate bill (No. 514, Int. No. 447), now in the committee of the whole.

Also, the bill (No. 1958, Rec. No. 442) entitled "An act to amend the Banking Law, in relation to time of making reports," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, the bill (No. 1910, Rec. No. 443) entitled "An act to amend chapter 737 of the Laws of 1905, entitled 'An act to establish a commission of gas and electricity with power to regulate

the price of gas and electric light and certain other electric services, and to provide for the control and supervision of gas, electric light and other electric corporations and making an appropriation therefor,' relative to number of persons who must sign complaint as to price and quality," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on miscellaneous corporations.

Also, the bill (No. 1861, Rec. No. 444) entitled "An act to amend the Highway Law, in relation to exempting certain counties from the poll tax," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1911, Rec. No. 445) entitled "An act to amend the Highway Law, in relation to compliance of town officers with the rules and regulations of the State Engineer and Surveyor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1433, Rec. No. 446) entitled "An act to provide for the payment of the claim of Daniel J. Sullivan for labor performed and materials furnished in the Queens county courthouse in the First ward (old Long Island City), in the borough of Queens, city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1817, Rec. No. 447) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to the liability of the city for injuries to person or property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1912, Rec. No. 448) entitled "An act to amend chapter 834 of the Laws of 1869, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson,' generally," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1462, Rec. No. 298) entitled "An act to amend the Railroad Law, in relation to motive power of street surface railroads in the counties of Herkimer, Hamilton, Onondaga, Wayne, Madison and Chenango," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by the committee on affairs of cities (No. 1002, Int. No. 817), entitled "An act to amend section 436 of chapter 466 of the Laws of 1901, known as the charter of the city of New York, granting power to the board of estimate and apportionment to reconsider and redetermine the expenses to be paid by the city of New York and property owners thereof, where the cost and expense of an improvement has been assessed by said board of estimate and apportionment," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. White, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Dobbs (No. 1172, Rec. No. 340), entitled "An act to amend the Greater New York charter, in relation to the qualifications of patrolmen," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Brown (No. 631, Rec. No. 177), entitled "An act to authorize the police commissioner of the city of New York, in his discretion, to reopen the investigation of the legality of the appointment of Jo-

Joseph Devlin as a member of the police department and force of the city of New York, to make a reinvestigation of the same and to reinstate or restore him as a roundsman in the police department and force of said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. J. A. Foley (No. 1379, Rec. No. 214), entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' in relation to salary of clerks to justices," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Prentice (No. 1130, Rec. No. 173), entitled "An act to amend the Greater New York charter, relative to the acquirement and operation of ferries and the acquirement of property therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hasenflug (No. 846, Int. No. 27), entitled "An act to amend the Greater New York charter by providing for additional city magistrates, and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates courts, in the second division of the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Dowling (No. 1129, Rec. No. 153), entitled "An act to provide for the payment of the claim of Emil Jemm for labor performed and materials furnished in the Squadron A armory in the borough of Manhattan, New York city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Dowling (No. 1791, Rec. No. 401), entitled "An act to amend the Greater New York charter relative to powers and duties of borough presidents," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Dobbs (No. 1175, Rec. No. 341), entitled "An act to amend the Greater New York charter, in relation to qualifications of firemen," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Owens (No. 644, Int. No. 554), entitled "An act to amend the Greater New York charter, relative to the duties of the corporation counsel in relation to uncollectable taxes," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Owens, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 1370, Rec. No. 288), entitled "An act making appropriations for payment of balances of salaries of William J. Donahue, Marvin C. Stanley and Jean L. Burnett, deceased members of Assembly," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 1273, Rec. No. 243), entitled "An act to provide for a commission to investigate the condition of the National Guard of the State of New York," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Robinson (No. 735, Rec. No. 207), entitled "An act to amend chapter 705 of the Laws of 1905, entitled 'An act to provide for annual reports by and the examination of accounts of counties, cities of the second and third classes, and villages having a population of 3,000 or more, the tabulation of comparative statistics as to the cost of maintaining the various branches of government in such municipalities, and making an appropriation therefor,' generally," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cassidy, from the committee on public health, to which was referred the Assembly bill introduced by Mr. Wood (No. 1367, Rec. No. 417), entitled "An act to amend the Public Health Law, in relation to the payment of expenses of health officers in attending sanitary conferences," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cassidy, from the committee on public health, to which was referred the Assembly bill introduced by Mr. Wood (No. 1368, Rec. No. 290), entitled "An act to amend the Public Health Law, relative to the term of office of local health officers," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Gilchrist (No. 1036, Int. No. 835), entitled "An act to amend the Primary Election Law, in relation to direct nominations, and to provide for the expense thereof," reported the same to the Senate with the recommendation that said bill be referred to the committee on the judiciary.

Ordered, That said bill be committed to the committee on the judiciary.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Owens (No. 984, Int. No. 222), entitled "An act to amend the Greater New York charter, relative to the appointment of custodians of public schools," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Owens, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Sohmer (No. 640, Int. No. 550), entitled "An act in relation to the Court of General Sessions of the county of New York," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Gilchrist (No. 535, Int. No. 145), entitled "An act authorizing the board of estimate and apportionment of the city of New York to inquire into the alleged claim of George R. Dubois, a janitor in the Justices' Court of the former city of Brooklyn, first district, for services rendered as such, from March 1, 1897, to December 31, 1897, both dates inclusive, and for services rendered as janitor of the Municipal Court of the city of New York, borough of Brooklyn, first district, from January 1, 1898, to August 12, 1903, both dates inclusive, and authorizing payment of the same," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hill (No. 971, Int. No. 793), entitled "An act authorizing the city of Buffalo to borrow money by bond issues for the purpose of refunding to corporations sums paid by them to said city, as taxes upon their special franchises, in excess of what such taxes would have been if the assessments had been made as determined by final orders in certiorari proceedings to review such assessments," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Franchot (No. 190, Int. No. 183), entitled "An act making appropriations for the expense of improvements at the State reservation at Niagara," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act making an

appropriation for electrical installation at the state reservation at Niagara," which report was agreed to.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Allds (No. 1066, Int. No. 851), entitled "An act making an appropriation for the State's proportion of the amounts appropriated for the repair of highways, pursuant to section 53 of the Highway Law," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCall (No. 170, Int. No. 164), entitled "An act to amend the Greater New York charter, relative to the pension fund of the fire department," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 429, Int. No. 381), entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property abutting upon Manhattan avenue adjacent to Newtown creek, borough of Brooklyn, in the city of New York, by reason of the construction of the bridge over Newtown creek, between Manhattan avenue in the borough of Brooklyn, and Vernon avenue in the borough of Queens, and the approaches thereto," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Travis (No. 839, Int. No. 703), entitled "An act to amend the Tax Law, relative to certain exemptions," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by the committee on af-

fairs of cities (No. 893, Int. No. 745), entitled "An act to amend the Greater New York charter, in relation to the fixing of the salaries of members of the supervising and teaching staff of the public schools of the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr Saxe (No. 538, Int. No. 464), entitled "An act to amend subdivision 2 of section 24 of chapter 112 of the Laws of 1896, known as the Liquor Tax Law, as amended by chapter 677 of the Laws of 1905, relating to places in which the traffic in liquor shall not be permitted," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to amend the liquor tax law, in relation to places in which the traffic in liquor shall not be permitted," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Saxe (No. 943, Int. No. 769), entitled "An act to amend the Tax Law, in relation to the taxation of bank shares," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Saxe (No. 1057, Int. No. 841), entitled "An act to amend the Tax Law, in relation to the definition of 'land,' 'real estate' and 'real property,'" reported the same for the consideration of the Senate.

Ordered, That said bill be committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCall (No. 172, Int. No. 166), entitled "An act to amend the Greater New York charter, relative to the New York fire department relief fund and pensions," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which

was referred the Senate bill introduced by Mr. Grady (No. 446, Int. No. 208), entitled "An act in relation to the use and occupancy of the Hall of Records in the county of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cullen (No. 730, Int. No. 614), entitled "An act to amend the Greater New York charter, relative to the salary of the commissioner of docks and the deputy commissioner of docks," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 751, Int. No. 637), entitled "An act to amend the charter of the city of Utica, in relation to issuing bonds to pay purchases at tax sales and provide a fund for uncollected taxes," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ackroyd, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Raines (No. 707, Int. No. 597), entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' in relation to salaries of city officials, duties of city clerk and city judge, and jurisdiction of city court," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Agnew (No. 659, Int. No. 570), entitled "An act to amend the Greater New York charter, relative to the art commission," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Sullivan (No. 1050, Int. No. 691), entitled "An act authorizing the board of

estimate and apportionment of the city of New York, in its discretion, to direct that the cost and expense of opening, widening or extending streets in said city for the purpose of using such streets as an approach to bridges connecting the various boroughs of said city, shall be borne and paid by the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grady (No. 964, Int. No. 786), entitled "An act to amend the Greater New York charter, relative to the protection of the grounds and properties of educational institutions," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 609, Int. No. 524), entitled "An act to authorize the board of estimate and apportionment of the city of New York to cancel certain assessments affecting property in the borough of Brooklyn, city of New York, levied against said property for the opening of Freeman street from Provost street to Whale creek in the borough of Brooklyn, city of New York," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Agnew (No. 910, Int. No. 751), entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit and allow the balance of certain claims for reimbursement and compensation for expenditures made because of damages alleged to have been suffered by reason of the changes made in the grades of certain streets, pursuant to a resolution of the board of aldermen, remaining unpaid after the payment of the part of said claims authorized to be allowed by chapter 599 of the Laws of 1906," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which

was referred the Senate bill introduced by Mr. Agnew (No. 837, Int. No. 701), entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Allds (No. 472, Int. No. 420), entitled "An act to amend sections 182, 184, 186, 190 and 195 of the Tax Law, in relation to the taxation of corporations," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 514, Int. No. 447), entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Richard Dillon, a policeman of the second grade, for reinstatement in said department," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Assembly returned the Assembly bill (No. 913, Senate reprint No. 1013, Rec. No. 164) entitled "An act to amend the Greater New York charter, as re-enacted by chapter 466 of the Laws of 1901, relative to the police department."

Also, Assembly bill (No. 818, Senate reprint No. 1026, Rec. No. 317) entitled "An act to provide for the erection and furnishing of a new court house in the city of Hudson for the use of the county of Columbia, and to provide means to defray the expense thereof, and to sell or dispose of the ruins of the former court house situate in Hudson."

Also, Assembly bill (No. 1047, Senate reprint No. 929, Rec. No. 186) entitled "An act to amend chapter 309 of the Laws of 1902, entitled 'An act to provide a purchasing agent for the county of Monroe and to repeal certain existing provisions of law relative thereto,' relative to salary of stenographer of purchasing agent and powers and duties of such purchasing agent," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bills to the Assembly.

Mr. Allds, on behalf of Mr. Hill, moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 618, Int. No. 534) entitled "An act releasing to the city of Buffalo certain lands under the waters of Niagara river in said city for a pumping station site and for other municipal purposes," and that said bill be amended, reprinted and recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ackroyd moved that the committee of the whole be discharged from the consideration of Senate bill (No. 263, Int. No. 251) entitled "An act to authorize the mayor of the city of Utica to appoint a commission to investigate plans for developing or acquiring a municipal water supply for said city," and that said bill be recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the Senate bill (No. 44, Int. No. 44) entitled "An act in relation to illuminating gas in the city of Albany and regulating the quality and pressure thereof, and the price to consumers other than said city and providing a penalty for violation," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Albany for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 433, Int. No. 385) entitled "An act to amend chapter 182 of the Laws of 1882, entitled 'An act to incorporate the city of Mount Vernon,' in reference to the maintenance and care of public libraries," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Mount Vernon for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 840, Int. No. 704) entitled "An act to provide for a police pension fund for the police force of the city of Watertown," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Watertown for a hearing, pursuant to the provisions of the constitution.

Mr. Raines moved that the Senate do now adjourn until 8 o'clock Monday evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, APRIL 8, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

The journal of Friday, April 5th, was read and approved.

Pursuant to the arrangements made by the special committee of the Senate and Assembly, the President left the chair and with the Senate proceeded to the Assembly chamber to join in the exercises in memory of the late Frank Wayland Higgins.

Upon returning from the Assembly chamber, Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, APRIL 9, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. R. W. Ziehm.

The journal of yesterday was read and approved.

Mr. McCarren introduced a bill (Int. No. 901) entitled "An act to authorize the erection, furnishing and equipment of a municipal building at the Manhattan terminal of the New York

and Brooklyn bridge in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 902) entitled "An act to amend the Greater New York charter, in relation to the power of the board of commissioners of the sinking fund to fix the rate of interest payable on corporate stock and bonds of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gilchrist introduced a bill (Int. No. 903) entitled "An act to amend chapter 689 of the Laws of 1904, entitled 'An act to exempt the real estate of religious corporations in the city of New York, as now constituted, from assessments for public improvements,' in relation to extending such exemption to certain school property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 904) entitled "An act to amend the Greater New York charter, in relation to the apportionment and part payment of taxes levied in gross," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Saxe introduced a bill (Int. No. 905) entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' in relation to liens of hotel, inn, boarding and lodging house keepers, as amended by chapter 380 of the Laws of 1899," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Frawley introduced a bill (Int. No. 906) entitled "An act to amend the Greater New York charter, relating to engineers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 907) entitled "An act to amend chapter 242 of the Laws of 1906, entitled 'An act to amend, revise and consolidate the charter of the village of Os-

sining, and to extend the boundaries of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 908) entitled "An act to authorize the common council of the city of Yonkers to establish sewage disposal plants in the Seventh ward, as now established, in the city of Yonkers and to empower the common council of said city to raise the necessary funds therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 909) entitled "An act to establish a pension fund for the paid fire department of the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 910) entitled "An act to authorize the grant by the city of Yonkers to the New York Central and Hudson River Railroad Company for railroad purposes of a portion of the lands granted to the city of Yonkers by chapter 562 of the Laws of 1899," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 911) entitled "An act to amend chapter 531 of the Laws of 1900, entitled 'An act to provide for a police pension fund for the police force of the city of Yonkers,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gates introduced a bill (Int. No. 912) entitled "An act to amend the Tax Law, in relation to the exemption of bonds of union free school districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Armstrong introduced a bill (Int. No. 913) entitled "An act making appropriations for construction, additions and improvements at the State hospitals for the insane," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Davis introduced a bill (Int. No. 914) entitled "An act to amend chapter 238 of the Laws of 1871, entitled 'An act to provide for the payment of the crier and attendants of the Court of Appeals,' as amended by chapter 527 of the Laws of 1889," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 915) entitled "An act to amend chapter 394 of the Laws of 1904, entitled 'An act to create and establish the office of commissioner of elections in the county of Erie and prescribing his duties,' relating to the commissioner of elections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Allds introduced a bill (Int. No. 916), entitled "An act to amend the Tax Law, in relation to the payment of interest on refunds of transfer taxes in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, a bill (Int. No. 917) entitled "An act to amend section 321 of article 15 of the General Tax Law, in relation to the tax on transfers of stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Tully introduced a bill (Int. No. 918) entitled "An act to amend chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations, being chapter 37 of the general laws,' with relation to the charge for premium and interest by savings and loan associations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Frawley introduced a bill (Int. No. 919) entitled "An act to amend chapter 692 of the Laws of 1904, entitled 'An act relating to transfers and mortgages of interests in decedents' estates,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hinman introduced a bill (Int. No. 920) entitled "An

act to amend the Town Law, relating to the duties of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Harte introduced a bill (Int. No. 921) entitled "An act to amend section 1101 of the Greater New York charter, relative to the appointment of teachers in the public schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 1076, Rec. No. 449) entitled "An act to validate the acts of the duly qualified electors, the property owners and the trustees of the village of Kenmore, with reference to the extension of the village limits, and in making the annual assessment-roll for the year 1906," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 697, Rec. No. 68) entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in certain tributaries of Lake Ontario," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1375, Senate reprint No. 901, Rec. No. 208) entitled "An act to amend the Code of Civil Procedure, relative to the compensation of deputy sheriffs and constables attending courts in Richmond county," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK,

EXECUTIVE CHAMBER, ALBANY, 1907.

To the Senate:

Pursuant to concurrence resolution of the Senate and Assembly, herewith is returned for amendment, Senate bill (No. 239, Int. No. 230) entitled "An act to amend chapter 294 of the Laws of 1904, entitled 'An act to make the office of sheriff of Orleans county a salaried one, in part, and to regulate the management thereof,' in relation to salary of under sheriff."

CHARLES E. HUGHES.

Mr. Fanchot moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Davis | Grattan | McManus | Sohmer |
| Agnew | Dunn | Harte | Mullaney | Sullivan |
| Armstrong | Emerson | Hasenflug | O'Neil | Taylor |
| Boyce | Fancher | Heacock | Owens | Thompson |
| Burr | Foelker | Hill | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilchrist | McCarren | | |

48

Mr. Franchot moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, inclose in brackets all matter from and including the word "The" in line 6, to and including the word "and" in line 8; change "t" to "T" in word "the", line 8.

Same page, line 9, at end of line, after the word "of" insert the words "said under sheriff and".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Governor, by the hands of his secretary, returned the Senate bill (No. 366, Int. No. 234) entitled "An act to provide for the payment of the claim of Robert E. Jones for furnishing work, labor, services and materials in the repair of the fire alarm system in the fifth ward of the borough of Queens in the city of New York," without executive approval. (For veto message, see Appendix.)

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 927, Senate reprint No. 1072, Rec. No. 193), entitled "An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of this State."

Also, Assembly bill (No. 1273, Senate reprint No. 1167, Rec. No. 243) entitled "An act to provide for a commission to investigate the condition of the National Guard of the State of New York."

Also, Senate bill (No. 1094, Int. No. 655) entitled "An act to amend section 221 of the Code of Civil Procedure, relative to the salaries of certain clerks and deputy clerks of the Appellate Divisions of the Third and Fourth Departments."

Also, Senate bill (No. 1095, Int. No. 582) entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts, relative to the city of Schenectady,' relative to City Court constables."

Also, Senate bill (No. 1092, Int. No. 622) entitled "An act to amend the Religious Corporations Law, relative to trusts for Friends."

Also, Senate bill (No. 1091, Int. No. 700) entitled "An act to amend the State Law, in relation to the boundary line between the State of New York and the State of Vermont."

Also, Senate bill (No. 1053, Int. No. 226) entitled "An act supplementary to chapter 107 of the Laws of 1821, entitled 'An

act declaring a part of the Black river a public highway, and for other purposes,' passed March 16, 1821."

Also, Senate bill (No. 1075, Int. No. 562) entitled "An act to amend the Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county and in Chenango county."

Also, Senate bill (No. 1074, Int. No. 819) entitled "An act to amend section 260 of the Real Property Law, in relation to the authentication of certificates of acknowledgment or proof."

Also, Senate bill (No. 605, Int. No. 520) entitled "An act to amend the Code of Civil Procedure, in relation to a stenographer for the County Court of Richmond county."

Also, Senate bill (No. 739, Int. No. 623) entitled "An act to amend chapter 345 of the Laws of 1892, entitled 'An act to amend chapter 177 of the Laws of 1887, entitled "An act to provide for supplying the village of Sing Sing with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners for said village," passed April 18, 1887, and the acts amendatory thereof,' passed April 18, 1889."

Also, Senate bill (No. 775, Int. No. 659) entitled "An act to amend chapter 592 of the Laws of 1897, entitled 'An act in relation to navigation, constituting chapter 30 of the general laws,' authorizing temporary assignments of the inspectors of steam vessels to the Department of Labor."

Also, Senate bill (No. 989, Int. No. 803) entitled "An act to amend chapter 315 of the Laws of 1895, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' relative to salaries of policemen."

Also, Senate bill (No. 984, Int. No. 222) entitled "An act to amend the Greater New York charter, relative to the appointment of custodians of public schools."

Also, Senate bill (No. 707, Int. No. 597) entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' in relation to salaries of city officials, duties of city clerk and city judge, and jurisdiction of City Court."

Also, Senate bill (No. 751, Int. No. 637) entitled "An act to amend the charter of the city of Utica, in relation to issuing

bonds to pay purchases at tax sales and provide a fund for uncollected taxes."

Also, Senate bill (No. 1066, Int. No. 851) entitled "An act making an appropriation for the State's proportion of the amounts appropriated for the repair of highways, pursuant to section 53 of the Highway Law."

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Cobb (No. 1037, Int. No. 836), entitled "An act to amend section 12 of the Forest, Fish and Game Law, as amended by section 2 of chapter 580 of the Laws of 1904," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Cobb (No. 1038, Int. No. 837), entitled "An act to amend the Forest, Fish and Game Law, in relation to the annual compilation of the law," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which as referred the Assembly bill introduced by Mr. Filley (No. 1640, Rec. No. 345) entitled "An act to amend the Forest, Fish and Game Law, in relation to the sale of trout in Albany, Columbia, Saratoga, Schenectady, Livingston, Franklin, St. Lawrence and Otsego counties," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Leave of absence was granted to Mr. Cohalan until Thursday.

The Assembly bill (No. 1370, Rec. No. 288) entitled "An act making appropriations for payment of balances of salaries of William J. Donahue, Mervin C. Stanley and Jean L. Burnett, deceased members of Assembly," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar

legislative days, and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Davis | Grattan | McManus | Sohmer |
| Agnew | Dunn | Harte | Mullaney | Sullivan |
| Armstrong | Emerson | Hasenflug | O'Neil | Taylor |
| Boyce | Fancher | Heacock | Owens | Thompson |
| Burr | Foelker | Hill | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilchrist | McCarren | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1066, Int. No. 851) entitled "An act making an appropriation for the State's proportion of the amounts appropriated for the repair of highways, pursuant to section 53 of the Highway Law," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Davis | Grattan | McManus | Sohmer |
| Agnew | Dunn | Harte | Mullaney | Sullivan |
| Armstrong | Emerson | Hasenflug | O'Neil | Taylor |
| Boyce | Fancher | Heacock | Owens | Thompson |
| Burr | Foelker | Hill | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilchrist | McCarren | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 751, Int. No. 637) entitled "An act to amend the charter of the city of Utica, in relation to issuing bonds to pay purchases at tax sales and provide a fund for uncollected taxes," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Ackroyd | Davis | Grattan | McManus | Sohmer |
| Agnew | Dunn | Harte | Mullaney | Sullivan |
| Armstrong | Emerson | Hasenfug | O'Neil | Taylor |
| Boyce | Fancher | Heacock | Owens | Thompson |
| Burr | Foelker | Hill | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilchrist | McCarren | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 707, Int. No. 597) entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' in relation to salaries of city officials, duties of city clerk and city judge, and jurisdiction of City Court," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Ackroyd | Davis | Grattan | McManus | Sohmer |
| Agnew | Dunn | Harte | Mullaney | Sullivan |
| Armstrong | Emerson | Hasenfug | O'Neil | Taylor |
| Boyce | Fancher | Heacock | Owens | Thompson |
| Burr | Foelker | Hill | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilchrist | McCarren | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 984, Int. No. 222) entitled "An act to

amend the Greater New York charter, relative to the appointment of custodians of public schools," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Davis | Grattan | McManus | Sohmer |
| Agnew | Dunn | Harte | Mullaney | Sullivan |
| Armstrong | Emerson | Hasenflug | O'Neil | Taylor |
| Boyce | Fancher | Heacock | Owens | Thompson |
| Burr | Foelker | Hill | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilchrist | McCarren | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1912, Rec. No. 448) entitled "An act to amend chapter 834 of the Laws of 1869, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Dunn | Harte | McManus | Sohmer |
| Agnew | Emerson | Hasenflug | Mullaney | Sullivan |
| Armstrong | Fancher | Heacock | O'Neil | Taylor |
| Boyce | Foelker | Hill | Owens | Thompson |
| Carpenter | Franchot | Hinman | Page | Travis |
| Cassidy | Frawley | Hooker | Raines | Tully |
| Cobb | Fuller | Knapp | Ramsperger | Wemple |
| Cordts | Gates | McCall | Saxe | White |
| Cullen | Gilchrist | McCarren | Smith | Wilcox |
| Davis | Grattan | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 989, Int. No. 803) entitled "An act to amend chapter 315 of the Laws of 1895, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' relative to salaries of policemen," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Dunn | Grattan | McCarren | Sohmer |
| Agnew | Emerson | Harte | McManus | Sullivan |
| Armstrong | Fancher | Hasenflug | Mullaney | Taylor |
| Boyce | Foelker | Heacock | O'Neil | Thompson |
| Carpenter | Franchot | Hill | Owens | Travis |
| Cassidy | Frawley | Hinman | Raines | Tully |
| Cobb | Fuller | Hooker | Ramsperger | Wemple |
| Cullen | Gates | Knapp | Saxe | White |
| Davis | Gilchrist | McCall | Smith | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1330, Rec. No. 222) entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,' in relation to actions for damages arising from snow and ice upon sidewalks, crosswalks and streets in said village," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|----------|----------|--------|
| Ackroyd | Emerson | Hinman | Raines | Taylor |
| Agnew | Franchot | McCall | Saxe | Tully |
| Armstrong | Frawley | McCarren | Smith | Wemple |
| Carpenter | Gates | McManus | Sohmer | White |
| Cassidy | Harte | Owens | Sullivan | Wilcox |
| Cordts | Heacock | Page | | |

28

FOR THE NEGATIVE.

| | | | | |
|--------|---------|-----------|----------|------------|
| Boyce | Davis | Gilchrist | Knapp | Ramsperger |
| Cobb | Foelker | Hasenflug | Mullaney | Travis |
| Cullen | Fuller | Hooker | | |

13

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1074, Int. No. 819) entitled "An act to amend section 260 of the Real Property Law, in relation to the authentication of certificates of acknowledgment or proof," having been announced for third reading, Mr. Cassidy moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, strike out from and including the word "All" in line 2, to and including the word "pending" in line 8.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|----------|-----------|---------|----------|----------|----|
| Ackroyd | Frawley | Hinman | Mullaney | Sullivan | |
| Cassidy | Gilchrist | Knapp | Owens | Travis | |
| Emerson | Harte | McCall | Smith | Wilcox | |
| Franchot | Heacock | McManus | Sohmer | | 19 |

FOR THE NEGATIVE.

| | | | | | |
|-----------|--------|-----------|------------|--------|----|
| Agnew | Cobb | Grattan | McCarren | Saxe | |
| Armstrong | Cullen | Hasenflug | O'Neil | Taylor | |
| Boyce | Fuller | Hill | Raines | Wemple | |
| Carpenter | Gates | Hooker | Ramsperger | White | 20 |

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|-----------|-----------|------------|----------|----|
| Ackroyd | Dunn | Harte | O'Neil | Sullivan | |
| Agnew | Foelker | Hasenflug | Raines | Taylor | |
| Armstrong | Frawley | Hill | Ramsperger | Travis | |
| Boyce | Fuller | Hooker | Saxe | Wemple | |
| Carpenter | Gates | McCarren | Smith | White | |
| Cobb | Gilchrist | Mullaney | Sohmer | Wilcox | |
| Cullen | Grattan | | | | 32 |

FOR THE NEGATIVE.

| | | | | | |
|----------|---------|-------|--------|-------|---|
| Cassidy | Heacock | Knapp | McCall | Owens | |
| Franchot | Hinman | | | | 7 |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 739, Int. No. 623) entitled "An act to amend chapter 345 of the Laws of 1892, entitled 'An act to amend chapter 177 of the Laws of 1887, entitled "An act to provide for supplying the village of Sing Sing with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners for said village," passed April 18, 1887, and the acts amendatory thereof,' passed April 18, 1889," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Dunn | Grattan | McCarren | Sohmer |
| Agnew | Emerson | Harte | McManus | Sullivan |
| Armstrong | Fancher | Hasenflug | Mullaney | Taylor |
| Boyce | Foelker | Heacock | O'Neil | Thompson |
| Carpenter | Franchot | Hill | Owens | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cullen | Gates | Knapp | Saxe | Wilcox |
| Davis | Gilchrist | McCall | Smith | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 605, Int. No. 520) entitled "An act to amend the Code of Civil Procedure, in relation to a stenographer for the County Court of Richmond county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Dunn | Grattan | McCarren | Smith |
| Agnew | Emerson | Harte | McManus | Sohmer |
| Armstrong | Fancher | Hasenflug | Mullaney | Sullivan |
| Boyce | Foelker | Heacock | O'Neil | Taylor |
| Carpenter | Franchot | Hill | Owens | Thompson |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cullen | Gates | Knapp | Saxe | Wilcox |
| Davis | Gilchrist | McCall | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1053, Int. No. 226) entitled "An act supplementary to chapter 107 of the Laws of 1821, entitled 'An act declaring a part of the Black river a public highway, and for other purposes,' passed March 16, 1821," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | McCall | Smith |
| Agnew | Dunn | Grattan | McCarren | Sohmer |
| Armstrong | Emerson | Harte | McManus | Sullivan |
| Boyce | Fancher | Hasenflug | Mullaney | Taylor |
| Carpenter | Foelker | Heacock | O'Neil | Tully |
| Cassidy | Franchot | Hill | Owens | Wemple |
| Cobb | Frawley | Hinman | Raines | White |
| Cordts | Fuller | Hooker | Ramsperger | Wilcox |
| Cullen | Gates | Knapp | Saxe | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1091, Int. No. 700) entitled "An act to amend the State Law, in relation to the boundary line between the State of New York and the State of Vermont," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | McCall | Smith |
| Agnew | Dunn | Grattan | McCarren | Sohmer |
| Armstrong | Emerson | Harte | McManus | Sullivan |
| Boyce | Fancher | Hasenflug | Mullaney | Taylor |
| Carpenter | Foelker | Heacock | O'Neil | Tully |
| Cassidy | Franchot | Hill | Owens | Wemple |
| Cobb | Frawley | Hinman | Raines | White |
| Cordts | Fuller | Hooker | Ramsperger | Wilcox |
| Cullen | Gates | Knapp | Saxe | 44 |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1075, Int. No. 562) entitled "An act to amend the Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county and in Chenango county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | McCall | Smith |
| Agnew | Dunn | Grattan | McCarren | Sohmer |
| Armstrong | Emerson | Harte | McManus | Sullivan |
| Boyce | Fancher | Hasenflug | Mullaney | Taylor |
| Carpenter | Foelker | Heacock | O'Neil | Tully |
| Cassidy | Franchot | Hill | Owens | Wemple |
| Cobb | Frawley | Hinman | Raines | White |
| Cordts | Fuller | Hooker | Ramsperger | Wilcox |
| Cullen | Gates | Knapp | Saxe | 44 |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1095, Int. No. 582) entitled "An act to amend an act, entitled 'An act to amend and consolidate the several acts, relative to the city of Schenectady,' relative to City Court constables," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | McCall | Smith |
| Agnew | Dunn | Grattan | McCarren | Sohmer |
| Armstrong | Emerson | Harte | McManus | Sullivan |
| Boyce | Fancher | Hasenflug | Mullaney | Taylor |
| Carpenter | Foelker | Heacock | O'Neil | Tully |
| Cassidy | Franchot | Hill | Owens | Wemple |
| Cobb | Frawley | Hinmar | Raines | White |
| Cordts | Fuller | Hooker | Ramsperger | Wilcox |
| Cullen | Gates | Knapp | Saxe | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1092, Int. No. 622) entitled "An act to amend the Religious Corporations Law, relative to trusts for Friends," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | McCall | Smith |
| Agnew | Dunn | Grattan | McCarren | Sohmer |
| Armstrong | Emerson | Harte | McManus | Sullivan |
| Boyce | Fancher | Hasenflug | Mullaney | Taylor |
| Carpenter | Foelker | Heacock | O'Neil | Tully |
| Cassidy | Franchot | Hill | Owens | Wemple |
| Cobb | Frawley | Hinman | Raines | White |
| Cordts | Fuller | Hooker | Ramsperger | Wilcox |
| Cullen | Gates | Knapp | Saxe | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1078, Rec. No. 256) entitled "An act to authorize the city of Binghamton to expend a sum of money not exceeding \$70,000, for the improvement and regulation of the flow of the Chenango river at the city of Binghamton, N. Y., and to issue bonds therefor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | McCall | Smith |
| Agnew | Dunn | Grattan | McCarren | Sohmer |
| Armstrong | Emerson | Harte | McManus | Sullivan |
| Boyce | Fancher | Hasenfug | Mullaney | Taylor |
| Carpenter | Foelker | Heacock | O'Neil | Tully |
| Cassidy | Franchot | Hill | Owens | Wemple |
| Cobb | Frawley | Hinman | Raines | White |
| Cordts | Fuller | Hooker | Ramsperger | Wilcox |
| Cullen | Gates | Knapp | Saxe | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1094, Int. No. 655) entitled "An act to amend section 221 of the Code of Civil Procedure, relative to the salaries of certain clerks and deputy clerks of the Appellate Divisions of the Third and Fourth Departments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | McCall | Smith |
| Agnew | Dunn | Grattan | McCarren | Sohmer |
| Armstrong | Emerson | Harte | McManus | Sullivan |
| Boyce | Fancher | Hasenfug | Mullaney | Taylor |
| Carpenter | Foelker | Heacock | O'Neil | Tully |
| Cassidy | Franchot | Hill | Owens | Wemple |
| Cobb | Frawley | Hinman | Raines | White |
| Cordts | Fuller | Hooker | Ramsperger | Wilcox |
| Cullen | Gates | Knapp | Saxe | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 927, Senate reprint No. 1072, Rec. No. 193) entitled "An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of this State," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Davis | Gilchrist | McCall | Smith |
| Agnew | Dunn | Grattan | McCarren | Sohmer |
| Armstrong | Emerson | Harte | McManus | Sullivan |
| Boyce | Fancher | Hasenflug | Mullaney | Taylor |
| Carpenter | Foelker | Heacock | O'Neil | Tully |
| Cassidy | Franchot | Hill | Owens | Wemple |
| Cobb | Frawley | Hinman | Raines | White |
| Cordts | Fuller | Hooker | Ramsperger | Wilcox |
| Cullen | Gates | Knapp | Saxe | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 775, Int. No. 659) entitled "An act to amend chapter 592 of the Laws of 1897, entitled 'An act in relation to navigation, constituting chapter 30 of the general laws,' authorizing temporary assignments of the inspectors of steam vessels to the department of labor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Dunn | Grattan | McCarren | Sohmer |
| Agnew | Emerson | Harte | McManus | Sullivan |
| Armstrong | Fancher | Hasenflug | Mullaney | Taylor |
| Boyce | Foelker | Heacock | O'Neil | Thompson |
| Carpenter | Franchot | Hill | Owens | Tully |
| Cassidy | Frawley | Hinman | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cullen | Gates | Knapp | Saxe | Wilcox |
| Davis | Gilchrist | McCall | Smith | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 937, Rec. No. 268) entitled "An act in relation to claims against the village of Ellenville for damages for personal injury or injury to property," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|----------|----------|----------|
| Ackroyd | Cordts | Gates | Owens | Thompson |
| Armstrong | Dunn | Harte | Raines | Tully |
| Burr | Emerson | Heacock | Saxe | Wemple |
| Carpenter | Fancher | Hinman | Smith | White |
| Cassidy | Franchot | McCarren | Sullivan | Wilcox |
| Cobb | Frawley | McManus | Taylor | |

29

FOR THE NEGATIVE.

| | | | | |
|-------|-----------|-----------|----------|------------|
| Agnew | Foelker | Hasenflug | Knapp | Ramsperger |
| Boyce | Fuller | Hill | McCall | Sohmer |
| Davis | Gilchrist | Hooker | Mullaney | Travis |

15

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 636, Int. No. 531) entitled "An act to revise the charter of the city of North Tonawanda," having been announced for third reading, Mr. Franchot moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 6, line 12, after the word "it" insert the words "and all property, real and personal, rights, powers, privileges and contracts now possessed, owned, occupied, exercised or enjoyed by, as well as all the duties, contracts, obligations and liabilities imposed upon said city of North Tonawanda, or the former village of North Tonawanda, are hereby transferred to, vested in, and imposed upon the city of North Tonawanda under this act."

Page 8, line 24, after the word "judge" insert the words "a city attorney,".

Page 9, line 5, strike out the words "a city attorney," and in page 9, line 20, strike out the words "the city attorney,".

Page 10, line 26, strike out the words "one thousand" and insert in place thereof the words "twelve hundred".

Page 11, line 1, after the portion of the word "lars" insert the words "and he shall also be reimbursed by the city for clerk hire actually paid by him not exceeding the sum of five hundred dollars in any one year."

Page 11, line 3, strike out the words "not to exceed fifteen" and insert in place thereof the word "twelve", and after the word "dollars" in the same line, insert the words "which shall be paid out of the water funds", and in same page, line 4, strike out the words "not to exceed", and in same page, line 5, strike out the words "not to exceed".

Page 19, line 7, after the word "money" insert the words "or collection of money".

Page 22, line 15, after the word city strike out the words "and to", and strike out all of lines 16 and 17.

Page 35, line 13, strike out the first letter "u" in the word "upon".

Page 45, line 7, strike out the words "be appointed by", and in same page, line 8, strike out the words "the common council and", and in same page, line 9, strike out the word "appointed" and insert in place thereof the word "elected".

Page 48, lines 3 and 4, strike out the words "or of the assessors of the city" and insert in place thereof the words "and said engineer shall allow a reasonable opportunity for such inspection by any person".

Page 48, line 11, after the word "times" insert the words "while such engineer is present at such office".

Page 64, line 14, strike out the word "two" and insert in place thereof the word "five".

Page 67, line 22, strike out the word "reconstructed" and insert in place thereof the word "constructed", and in same page, line 23, strike out the word "reconstructed" and insert in place thereof the word "constructed".

Page 92, line 5, after the word "unless" insert the words "the city shall have had", and same page, strike out all of line 7 after the word "crosswalk", and also line 8 and the words "works of said city" in line 9.

Page 97, line 24, strike out the word "or" and insert in place thereof the word "of".

Page 101, line 12, strike out the word "same" and insert in place thereof the word "sale".

Page 132, line 13, after the word "shall" insert the word "annually", and in same page, line 14, strike out the word "annually" and insert in place thereof the words "derived from business transacted within the city of North Tonawanda".

Page 21, line 6, add to the last word the letter "r".

Page 100, line 6, strike out the letter "e" following the letter "c" in the word "recovered", and in same page, line 18, strike out the letter "s" at the end of the word "certificates".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly bill (No. 1516, Rec. No. 294) entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream," having been announced for third reading, Mr. Cobb moved that said bill be recommitted to the committee on agriculture, with instructions to said committee to report the same forthwith, amended as follows:

Page 3, line 1, after the word "delivering" insert the word "milk".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Neil, from the committee on agriculture, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly bill (No. 845, Rec. No. 83) entitled "An act making appropriations for the support of government," having been announced for third reading, Mr. Armstrong moved that said bill be made a special order, immediately after "Messages from the Assembly" on Wednesday, April 10.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate bill (No. 644, Int. No. 554) entitled "An act to amend the Greater New York charter, relative to the duties of the corporation counsel in relation to uncollectable taxes," having been announced for third reading, Mr. Owens moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 4, strike out the word "the" after the word "receiver" and insert in place thereof the word "of".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported

said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 881, Int. No. 599) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," having been announced for third reading, Mr. Armstrong moved that said bill be recommitted to the committee on finance, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, strike out all italicized matter in lines 4, 5, 6, 7, 8 and 9, and strike out the brackets in lines 9 and 10, and strike out all italicized matter in lines 19 to 26 inclusive.

Page 3, strike out all italicized matter in lines 1 to 4 inclusive.

Same page, line 7, strike out the word "immediately" and insert the words "July first, nineteen hundred and seven".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Armstrong, from the committee on finance, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 886, Int. No. 738) entitled "An act to amend the Election Law, in relation to independent nominations," having been announced for third reading, Mr. Raines moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 4, line 22, strike out the last two words "and all".

Page 4, strike out all of line 23.

Page 4, line 24, strike out the words "which the candidate so nominated is to be voted for".

Page 5, line 1, after the word "act" strike out the period and insert a semicolon.

Page 5, line 1, after the word "act" insert the words "and all persons so designated must be residents of the political district in which the candidate, so nominated, is to be voted for."

Page 5, line 7, after the word "office" strike out the comma and insert a period.

Page 5, line 7, strike out the words "nor of candidates who cannot".

Page 5, strike out all of line 8.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Allds moved that the committee of the whole be discharged from the consideration of Senate bill (No. 1151, Int. No. 420) entitled "An act to amend sections 182, 184, 186, 190 and 195 of the Tax Law, in relation to the taxation of corporations," and that said bill be amended, reprinted and recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Saxe moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 871, Int. No. 711) entitled "An act to provide for discontinuing the use by the New York Central and Hudson River railroad for railroad purposes, of streets, avenues, public parks or places in the borough of Manhattan, in the city of New York, at grade, and to that end to authorize the city of New York to grant certain real property to said railroad company and to acquire certain other real property and certain franchises from said railroad company by purchase or condemnation," and that said bill be amended, the title amended to read as follows: "An act to authorize the city of New York to make a contract for discontinuing the use by the New York Central and Hudson River railroad, for railroad purposes, of streets, avenues, public parks or places in the borough of Manhattan, in the city of New York, at grade, and to that end to authorize the city of New York to grant certain real property to said railroad company and to acquire certain other real property and certain franchises from said railroad company by purchase or condemnation," and that said bill be reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wilcox moved that the committee on finance be discharged from the consideration of Senate bill (No. 381, Int. No. 338) entitled "An act amending section 6 of chapter 306 of the Laws

of 1893, entitled 'An act to establish a State prison for women,' relative to salaries of guards and assistant matrons," and that said bill be amended, reprinted and recommitted to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 924, Int. No. 765) entitled "An act to amend the Civil Service Law, relative to examinations," and that said bill be amended, reprinted and re-committed to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McManus moved that the committee on codes be discharged from the consideration of Senate bill (No. 1006, Int. No. 821) entitled "An act to amend the Penal Code, relative to appointment of special officers," and that said bill be amended, reprinted and recommitted to the committee on codes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill moved that the committee on finance be discharged from the consideration of Senate bill (No. 1097, Int. No. 543) entitled "An act to amend the Tax Law, relative to investment in State bonds by certain corporations," and that said bill be amended, reprinted and recommitted to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Carpenter offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return to the Senate of the Senate bill (No. 705, Int. No. 595) entitled "An act to create the office of building inspector in the village of White Plains and to provide for the appointment of the same," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Wemple offered the following:

Resolved (if the Assembly concur), That five thousand copies of the final report of the New York State Commission to the Louisiana Purchase Exposition, held at St. Louis in the year 1904, be printed and distributed as follows: Thirty to each Senator, fifteen to each member of Assembly, two hundred and fifty to State officers, five hundred to the Commissioner of Education for distribution among the libraries of the State and for exchange with foreign libraries, and the balance to the commission.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Davis | Grattan | McManus | Sohmer |
| Agnew | Dunn | Harte | Mullaney | Sullivan |
| Armstrong | Emerson | Hasenflug | O'Neil | Taylor |
| Boyce | Fancher | Heacock | Owens | Thompson |
| Burr | Foelker | Hill | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilchrist | McCarren | | |

48

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 1134, Int. No. 445), entitled "An act to amend chapter 706 of the Laws of 1901, relative to additional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation thereof."

(2) Assembly (No. 1271, Senate reprint No. 1144, Rec. No. 237), entitled "An act to amend the Railroad Law, in relation to the collection of fare on certain electric surface railroads."

(3) Assembly (No. 1042, Rec. No. 137), entitled "An act to amend the Highway Law, in relation to cutting and destroying weeds, briars and brush in the highways."

(4) Assembly (No. 1086, Rec. No. 163), entitled "An act to amend the Agricultural Law, in relation to moneys realized by the recovery of penalties, and certain matters of procedure."

(5) Senate (No. 1073, Int. No. 725), entitled "An act to amend sections 3, 4, 8 and 10 of chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' as amended by chapter 572 of the Laws of 1898, chapter 490 of the Laws of 1900, and chapter 643 of the Laws of 1906, and to repeal chapter 519 of the Laws of 1904."

(6) Assembly (No. 1039, Rec. No. 130), entitled "An act to amend chapter 684 of the Laws of 1905, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' in relation to street improvement and publication of notice."

(7) Assembly (No. 993, Senate reprint No. 847, Rec. No. 201), entitled "An act in relation to certain grade crossings in the city of Utica."

(8) Assembly (No. 1523, Rec. No. 302), entitled "An act to amend chapter 488 of the Laws of 1905, entitled 'An act to establish a firemen's pension fund in the city of Troy, and providing for the payment of pensions therefrom.'"

(9) Assembly (No. 1725, Rec. No. 384), entitled "An act to provide a park board in and for the city of Utica."

(10) Senate (No. 33, Int. No. 33), entitled "An act to amend the Penal Code, relative to violations of provisions of the Labor Law."

(11) Senate (No. 322, Int. No. 293), entitled "An act to amend the Code of Civil Procedure, in relation to the qualifications of trial jurors in Queens county."

(12) Senate (No. 329, Int. No. 294), entitled "An act to amend the Code of Civil Procedure, relative to drawing of trial jurors in the county of Queens."

(13) Senate (No. 1136, Int. No. 695), entitled "An act to amend section 382 of the Code of Civil Procedure, relative to the statute of limitations."

(14) Senate (No. 894, Int. No. 746), entitled "An act to amend the Insurance Law, in relation to certificates of authority or agents and filing of such certificates."

(15) Senate (No. 895, Int. No. 747), entitled "An act to amend section 31 of the Insurance Law, relative to the filing and publication of statements."

(16) Senate (No. 945, Int. No. 771), entitled "An act to amend the Insurance Law, relative to the insurance of automobiles."

(17) Assembly (No. 1051, Senate reprint No. 1147, Rec. No. 155), entitled "An act to amend the Code of Civil Procedure, relating to notices of trial and notes of issue."

(18) Assembly (No. 1381, Rec. No. 236), entitled "An act to amend the Penal Code, in relation to the punishment of children under 16 years of age."

(19) Assembly (No. 1753, Rec. No. 381), entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties,"' in relation to the salary of clerk."

(20) Senate (No. 1149, Int. No. 27), entitled "An act to amend the Greater New York charter by providing for additional city magistrates and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates' courts, in the second division of the city of New York."

(21) Senate (No. 1150, Int. No. 145), entitled "An act authorizing the board of estimate and apportionment of the city of New York to inquire into the alleged claim of George R. Dubois, a janitor in the justices' court of the former city of Brooklyn, first district, for services rendered as such, from March 1, 1897, to December 31, 1897, both dates inclusive, and for services rendered as janitor of the Municipal Court of the city of New York, borough of Brooklyn, first district, from January 1, 1898, to August 12, 1903, both dates inclusive, and authorizing payment of the same."

(22) Senate (No. 446, Int. No. 208), entitled "An act in relation to the use and occupancy of the Hall of Records in the county of New York."

(23) Senate (No. 429, Int. No. 381), entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property abutting upon Manhattan avenue adjacent to Newtown creek, borough of Brooklyn, in the city of New York, by reason of the construction

of the bridge over Newtown creek, between Manhattan avenue in the borough of Brooklyn, and Vernon avenue in the borough of Queens, and the approaches thereto."

(24) Senate (No. 1153, Int. No. 524), entitled "An act to authorize the board of estimate and apportionment of the city of New York to cancel certain assessments affecting property in the borough of Brooklyn, city of New York, levied against said property for the opening of Freeman street from Provost street to Whale creek in the borough of Brooklyn, city of New York."

(25) Senate (No. 1154, Int. No. 550), entitled "An act in relation to the Court of General Sessions of the county of New York."

(26) Senate (No. 659, Int. No. 570), entitled "An act to amend the Greater New York charter, relative to the art commission."

(27) Senate (No. 730, Int. No. 614), entitled "An act to amend the Greater New York charter, relative to the salary of the commissioner of docks and the deputy commissioner of docks."

(28) Senate (No. 1050, Int. No. 691), entitled "An act authorizing the board of estimate and apportionment of the city of New York, in its discretion, to direct that the cost and expense of opening, widening or extending streets in said city for the purpose of using such streets as an approach to bridges connecting the various boroughs of said city shall be borne and paid by the city of New York."

(29) Senate (No. 837, Int. No. 701), entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction."

(30) Senate (No. 910, Int. No. 751), entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit and allow the balance of certain claims for reimbursement and compensation for expenditures made because of damages alleged to have been suffered by reason of the changes made in the grades of certain streets pursuant to a resolution of the board of aldermen, remaining unpaid after the payment of the part of said claims authorized to be allowed by chapter 599 of the Laws of 1906."

(31) Senate (No. 943, Int. No. 769), entitled "An act to amend the Tax Law, in relation to the taxation of bank shares."

(32) Senate (No. 964, Int. No. 786), entitled "An act to amend

the Greater New York charter, relative to the protection of the grounds and properties of educational institutions."

(33) Senate (No. 971, Int. No. 793), entitled "An act authorizing the city of Buffalo to borrow money by bond issues for the purpose of refunding to corporations sums paid by them to said city, as taxes upon their special franchises, in excess of what such taxes would have been if the assessments had been made as determined by final orders in certiorari proceedings to review such assessments."

(34) Assembly (No. 1129, Rec. No. 153), entitled "An act to provide form the payment of the claim of Emil Jemm for labor performed and materials furnished in the Squadron A armory in the borough of Manhattan, New York city."

(35) Assembly (No. 631, Rec. No. 177), entitled "An act to authorize the police commissioner of the city of New York, in his discretion, to reopen the investigation of the legality of the appointment of Joseph Devlin as a member of the police department and force of the city of New York, to make a reinvestigation of the same and to reinstate or restore him as a roundsman in the police department and force of said city."

(36) Assembly (No. 735, Senate reprint No. 1164, Rec. No. 207), entitled "An act to amend chapter 705 of the Laws of 1905, entitled 'An act to provide for annual reports by and the examination of accounts of counties; cities of the second and third classes and villages having a population of 3,000 or more, the tabulation of comparative statistics as to the cost of maintaining the various branches of government in such municipalities and making an appropriation therefor,' generally."

(37) Assembly (No. 1368, Senate reprint No. 1165, Rec. No. 290), entitled "An act to amend the Public Health Law, relative to the term of office of local health officers."

(38) Assembly (No. 1172, Rec. No. 340), entitled "An act to amend the Greater New York charter, in relation to the qualifications of patrolmen."

(39) Assembly (No. 1175, Rec. No. 341), entitled "An act to amend the Greater New York charter, in relation to qualifications of firemen."

(40) Assembly (No. 1367, Rec. No. 417), entitled "An act to amend the Public Health Law, in relation to the payment of expenses of health officers in attending sanitary conferences."

(41) Assembly (No. 529, Rec. No. 441), entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Richard Dillon, a policeman of the second grade, for reinstatement in said department."

(42) Assembly (No. 958, Rec. No. 170), entitled "An act to repeal section 3 of chapter 580 of Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to the removal of actions to courts of higher jurisdiction."

(43) Assembly (No. 1590, Rec. No. 309), entitled "An act to amend chapter 2 of the Laws of 1907, entitled 'An act to confirm the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds the village assumed as a part of the purchase price of its said system of water works,' relative to issuing bonds."

(44) Assembly (No. 1288, Rec. No. 244), entitled "An act to amend section 656 of the Penal Code, relative to abandoned animals."

After some time spent therein, the President resumed the chair, and Mr. Taylor, from said committee, reported in favor of the passage of the above-named bills, the thirteenth named bill with amendments, which report was agreed to, and said bills ordered to a third reading.

The Senate bill (No. 545, Int. No. 471) entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers," was returned by the mayor of the city of Fulton with the seal of the city affixed thereto.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the Senate bill (No. 382, Int. No. 339) entitled "An act authorizing the board of supervisors of Ontario county to appropriate moneys to provide quarters for Grand Army posts."

Also, Senate bill (No. 520, Int. No. 453) entitled "An act to amend 'An act to incorporate the trustees of the William Crosswell Doane Fund for Christian Work in the Diocese of Albany'

(being chapter 205 of the Laws of 1906), passed April 12, 1906," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate bill (No. 507, Int. No. 236) entitled "An act to provide for the payment of the claim of John M. Phillips for work and material furnished the bureau of highways of the borough of Queens, the city of New York, during the year 1903," was returned by the mayor of the city of New York, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 330, Int. No. 301) entitled "An act to amend section 47 of the Greater New York charter (revised), as amended by chapter 629 of the Laws of 1905, with respect to the powers of the board of aldermen," was returned by the mayor of the city of New York, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 504, Int. No. 34) entitled "An act to amend section 1092 of the Greater New York charter, in relation to the public school teachers' retirement fund," was returned by the mayor of the city of New York, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 127, Int. No. 125) entitled "An act to amend the Greater New York charter, relative to the salary of the clerk for the Children's Court, second division, borough of Brooklyn," was returned by the mayor of the city of New York, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The President presented a communication from the board of aldermen of the city of New York, relative to the mayoralty recount bill.

of 1893, entitled 'An act to establish a State prison for women,' relative to salaries of guards and assistant matrons," and that said bill be amended, reprinted and recommitted to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully moved that the committee on the judiciary be discharged from the consideration of Senate bill (No. 924, Int. No. 765) entitled "An act to amend the Civil Service Law, relative to examinations," and that said bill be amended, reprinted and re-committed to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McManus moved that the committee on codes be discharged from the consideration of Senate bill (No. 1006, Int. No. 821) entitled "An act to amend the Penal Code, relative to appointment of special officers," and that said bill be amended, reprinted and recommitted to the committee on codes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill moved that the committee on finance be discharged from the consideration of Senate bill (No. 1097, Int. No. 543) entitled "An act to amend the Tax Law, relative to investment in State bonds by certain corporations," and that said bill be amended, reprinted and recommitted to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Carpenter offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return to the Senate of the Senate bill (No. 705, Int. No. 595) entitled "An act to create the office of building inspector in the village of White Plains and to provide for the appointment of the same," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Wemple offered the following:

Resolved (if the Assembly concur), That five thousand copies of the final report of the New York State Commission to the Louisiana Purchase Exposition, held at St. Louis in the year 1904, be printed and distributed as follows: Thirty to each Senator, fifteen to each member of Assembly, two hundred and fifty to State officers, five hundred to the Commissioner of Education for distribution among the libraries of the State and for exchange with foreign libraries, and the balance to the commission.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|------------|-----------|------------|----------|
| Ackroyd | Davis | Grattan | McManus | Sohmer |
| Agnew | Dunn | Harte | Mullaney | Sullivan |
| Armstrong | Emerson | Hasenflug | O'Neil | Taylor |
| Boyce | Fancher | Heacock | Owens | Thompson |
| Burr | Foelker | Hill | Page | Travis |
| Carpenter | Franchot | Hinman | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | White |
| Cordts | Gates | McCall | Smith | Wilcox |
| Cullen | Gilechrist | McCarren | | |

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Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 1134, Int. No. 445), entitled "An act to amend chapter 706 of the Laws of 1901, relative to additional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation thereof."

(2) Assembly (No. 1271, Senate reprint No. 1144, Rec. No. 237), entitled "An act to amend the Railroad Law, in relation to the collection of fare on certain electric surface railroads."

(3) Assembly (No. 1042, Rec. No. 137), entitled "An act to amend the Highway Law, in relation to cutting and destroying weeds, briars and brush in the highways."

(4) Assembly (No. 1086, Rec. No. 163), entitled "An act to amend the Agricultural Law, in relation to moneys realized by the recovery of penalties, and certain matters of procedure."

(5) Senate (No. 1073, Int. No. 725), entitled "An act to amend sections 3, 4, 8 and 10 of chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' as amended by chapter 572 of the Laws of 1898, chapter 490 of the Laws of 1900, and chapter 643 of the Laws of 1906, and to repeal chapter 519 of the Laws of 1904."

(6) Assembly (No. 1039, Rec. No. 130), entitled "An act to amend chapter 684 of the Laws of 1905, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' in relation to street improvement and publication of notice."

(7) Assembly (No. 993, Senate reprint No. 847, Rec. No. 201), entitled "An act in relation to certain grade crossings in the city of Utica."

(8) Assembly (No. 1523, Rec. No. 302), entitled "An act to amend chapter 488 of the Laws of 1906, entitled 'An act to establish a firemen's pension fund in the city of Troy, and providing for the payment of pensions therefrom.'"

(9) Assembly (No. 1725, Rec. No. 384), entitled "An act to provide a park board in and for the city of Utica."

(10) Senate (No. 33, Int. No. 33), entitled "An act to amend the Penal Code, relative to violations of provisions of the Labor Law."

(11) Senate (No. 322, Int. No. 293), entitled "An act to amend the Code of Civil Procedure, in relation to the qualifications of trial jurors in Queens county."

(12) Senate (No. 329, Int. No. 294), entitled "An act to amend the Code of Civil Procedure, relative to drawing of trial jurors in the county of Queens."

(13) Senate (No. 1136, Int. No. 695), entitled "An act to amend section 382 of the Code of Civil Procedure, relative to the statute of limitations."

(14) Senate (No. 894, Int. No. 746), entitled "An act to amend the Insurance Law, in relation to certificates of authority or agents and filing of such certificates."

(15) Senate (No. 895, Int. No. 747), entitled "An act to amend section 31 of the Insurance Law, relative to the filing and publication of statements."

(16) Senate (No. 945, Int. No. 771), entitled "An act to amend the Insurance Law, relative to the insurance of automobiles."

(17) Assembly (No. 1051, Senate reprint No. 1147, Rec. No. 155), entitled "An act to amend the Code of Civil Procedure, relating to notices of trial and notes of issue."

(18) Assembly (No. 1381, Rec. No. 236), entitled "An act to amend the Penal Code, in relation to the punishment of children under 16 years of age."

(19) Assembly (No. 1753, Rec. No. 381), entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties,"' in relation to the salary of clerk."

(20) Senate (No. 1149, Int. No. 27), entitled "An act to amend the Greater New York charter by providing for additional city magistrates and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates' courts, in the second division of the city of New York."

(21) Senate (No. 1150, Int. No. 145), entitled "An act authorizing the board of estimate and apportionment of the city of New York to inquire into the alleged claim of George R. Dubois, a janitor in the justices' court of the former city of Brooklyn, first district, for services rendered as such, from March 1, 1897, to December 31, 1897, both dates inclusive, and for services rendered as janitor of the Municipal Court of the city of New York, borough of Brooklyn, first district, from January 1, 1898, to August 12, 1903, both dates inclusive, and authorizing payment of the same."

(22) Senate (No. 446, Int. No. 208), entitled "An act in relation to the use and occupancy of the Hall of Records in the county of New York."

(23) Senate (No. 429, Int. No. 381), entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property abutting upon Manhattan avenue adjacent to Newtown creek, borough of Brooklyn, in the city of New York, by reason of the construction

of the bridge over Newtown creek, between Manhattan avenue in the borough of Brooklyn, and Vernon avenue in the borough of Queens, and the approaches thereto."

(24) Senate (No. 1153, Int. No. 524), entitled "An act to authorize the board of estimate and apportionment of the city of New York to cancel certain assessments affecting property in the borough of Brooklyn, city of New York, levied against said property for the opening of Freeman street from Provost street to Whale creek in the borough of Brooklyn, city of New York."

(25) Senate (No. 1154, Int. No. 550), entitled "An act in relation to the Court of General Sessions of the county of New York."

(26) Senate (No. 659, Int. No. 570), entitled "An act to amend the Greater New York charter, relative to the art commission."

(27) Senate (No. 730, Int. No. 614), entitled "An act to amend the Greater New York charter, relative to the salary of the commissioner of docks and the deputy commissioner of docks."

(28) Senate (No. 1050, Int. No. 691), entitled "An act authorizing the board of estimate and apportionment of the city of New York, in its discretion, to direct that the cost and expense of opening, widening or extending streets in said city for the purpose of using such streets as an approach to bridges connecting the various boroughs of said city shall be borne and paid by the city of New York."

(29) Senate (No. 837, Int. No. 701), entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction."

(30) Senate (No. 910, Int. No. 751), entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit and allow the balance of certain claims for reimbursement and compensation for expenditures made because of damages alleged to have been suffered by reason of the changes made in the grades of certain streets pursuant to a resolution of the board of aldermen, remaining unpaid after the payment of the part of said claims authorized to be allowed by chapter 599 of the Laws of 1906."

(31) Senate (No. 943, Int. No. 769), entitled "An act to amend the Tax Law, in relation to the taxation of bank shares."

(32) Senate (No. 964, Int. No. 786), entitled "An act to amend

the Greater New York charter, relative to the protection of the grounds and properties of educational institutions."

(33) Senate (No. 971, Int. No. 793), entitled "An act authorizing the city of Buffalo to borrow money by bond issues for the purpose of refunding to corporations sums paid by them to said city, as taxes upon their special franchises, in excess of what such taxes would have been if the assessments had been made as determined by final orders in certiorari proceedings to review such assessments."

(34) Assembly (No. 1129, Rec. No. 153), entitled "An act to provide form the payment of the claim of Emil Jemm for labor performed and materials furnished in the Squadron A armory in the borough of Manhattan, New York city."

(35) Assembly (No. 631, Rec. No. 177), entitled "An act to authorize the police commissioner of the city of New York, in his discretion, to reopen the investigation of the legality of the appointment of Joseph Devlin as a member of the police department and force of the city of New York, to make a reinvestigation of the same and to reinstate or restore him as a roundsman in the police department and force of said city."

(36) Assembly (No. 735, Senate reprint No. 1164, Rec. No. 207), entitled "An act to amend chapter 705 of the Laws of 1905, entitled 'An act to provide for annual reports by and the examination of accounts of counties; cities of the second and third classes and villages having a population of 3,000 or more, the tabulation of comparative statistics as to the cost of maintaining the various branches of government in such municipalities and making an appropriation therefor,' generally."

(37) Assembly (No. 1368, Senate reprint No. 1165, Rec. No. 290), entitled "An act to amend the Public Health Law, relative to the term of office of local health officers."

(38) Assembly (No. 1172, Rec. No. 340), entitled "An act to amend the Greater New York charter, in relation to the qualifications of patrolmen."

(39) Assembly (No. 1175, Rec. No. 341), entitled "An act to amend the Greater New York charter, in relation to qualifications of firemen."

(40) Assembly (No. 1367, Rec. No. 417), entitled "An act to amend the Public Health Law, in relation to the payment of expenses of health officers in attending sanitary conferences."

was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 1811, Rec. No. 471) entitled "An act authorizing the city of Buffalo to borrow money by bond issues for the purpose of refunding to corporations sums paid by them to said city, as taxes upon their special franchises, in excess of what such taxes would have been if the assessments had been made as determined by final orders in certiorari proceedings to review such assessments," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hill, and by unanimous consent, said bill was substituted for Senate bill (No. 971, Int. No. 793), now on the order of third reading.

Also, the bill (No. 1906, Rec. No. 472) entitled "An act to amend the Penal Code, relative to limiting the amount to be expended by candidates for public office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1864, Rec. No. 473) entitled "An act to amend the Labor Law, relative to the issuance of employment certificates for children in factories and mercantile establishments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2005, Rec. No. 474) entitled "An act to amend the Labor Law, relative to confectioneries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1949, Rec. No. 475) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school districts Nos. 4 and 11 of the town of Kirkwood, Broome county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 220, Rec. No. 476) entitled "An act to amend the Greater New York charter, in relation to the salaries of the borough presidents," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1950, Rec. No. 477) entitled "An act authorizing the police commissioner of the city of New York to rehear the charges upon which Thomas F. Campbell, formerly a patrolman in the police department of said city, was dismissed from said department, and to reinstate him in his former position," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2007, Rec. No. 478) entitled "An act to amend the Navigation Law, in relation to life boats," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, the bill (No. 1443, Rec. No. 479) entitled "An act to create and establish the office of commissioner of elections in the county of Westchester, and prescribing his duties," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Carpenter, and by unanimous consent, said bill was substituted for Senate bill (No. 765, Int. No. 648), now in the committee of the whole.

Also, the bill (No. 1998, Rec. No. 480) entitled "An act to amend the Penal Code, in relation to the sale of transportation tickets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1863, Rec. No. 481) entitled "An act to amend the Military Code, in relation to the appointment of officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on military affairs.

Also, the bill (No. 1845, Rec. No. 482) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2003, Rec. No. 483) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly returned the Assembly bill (No. 1278, Senate reprint No. 1049, Rec. No. 293) entitled "An act to amend the Agricultural Law, in relation to the powers and duties of the Commissioner of Agriculture," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1268, Senate reprint No. 958, Rec. No. 212) entitled "An act creating the office of county attorney in and for certain counties," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with the message that the Senate has concurred in the passage of the same.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 1565, Senate reprint No. 1111, Rec. No. 319) entitled "An act to establish a police pension fund for the city of Newburgh."

Also, Assembly bill (No. 845, Senate reprint No. 981, Rec. No. 83) entitled "An act making appropriations for the support of government."

Also, Senate bill (No. 1112, Int. No. 568) entitled "An act to regulate car service on street surface railroads in the county and borough of Queens."

Also, Senate bill (No. 1113, Int. No. 709) entitled "An act to amend chapter 288 of the Laws of 1906, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally."

by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarren introduced a bill (Int. No. 926) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,' in relation to the powers of the board of commissioners of the sinking fund in cities of said class, to prescribe the rate of interest on bonds issued for the construction and equipment of rapid transit railways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Boyce introduced a bill (Int. No. 927) entitled "An act to amend chapter 9 of the Laws of 1903, entitled 'An act to make the office of sheriff of Rensselaer county a salaried office, and regulating the management of said office,' relative to court attendants and law librarian," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 928) entitled "An act to amend the Railroad Law, relative to rates of fare," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Emerson introduced a bill (Int. No. 929) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of A. L. Greene against the State for expenses incurred as a deputy factory inspector, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 930) entitled "An act to amend the Navigation Law, in relation to life boats," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Tully introduced a bill (Int. No. 931) entitled "An act to amend the Public Health Law, in relation to the cutting and sale of ice," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Mullaney introduced a bill (Int. No. 932) entitled "An act to amend section 103 of the Railroad Law, with respect to the abandonment of part of route, temporary removal of rails, temporary discontinuance of operation and relocation of railroads and routes in cities of the first class," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Page introduced a bill (Int. No. 933) entitled "An act to amend the Code of Criminal Procedure, in relation to the removal of an indictment from the Court of General Sessions of the peace in and for the county of New York, County Court or a City Court to the Supreme Court and in relation to the admission of a defendant to bail," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 934) entitled "An act to amend the Code of Criminal Procedure, in relation to the justification of a surety in a criminal case," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

The Assembly sent for concurrence the bill (No. 2001, Rec. No. 450) entitled "An act to amend chapter 684 of the Laws of 1905, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1800, Rec. No. 451) entitled "An act to amend chapter 473 of the Laws of 1906, entitled 'An act to provide for the government of cities of the second class,' relative to pavements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1843, Rec. No. 452) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul a certain assessment affecting the property of the Evangelical Lutheran Church of the Atonement in the borough of Manhattan," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1285, Rec. No. 453) entitled "An act to amend the Greater New York charter, in relation to the powers of the borough presidents and of the president of the board of aldermen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 824, Rec. No. 454) entitled "An act to amend the Greater New York charter, relative to the distribution of moneys collected on account of taxation and constituting the relief fund in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1658, Rec. No. 455) entitled "An act to enable the police commissioner of the city of New York, to rehear and determine the charges against Jacob M. Young, formerly a patrolman of the police department of said city and to reinstate him in said department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1603, Rec. No. 456) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against Peter B. Carney, a fireman of the first grade, for reinstatement in said department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 578, Rec. No. 457) entitled "An act authorizing the police commissioner of the city of New York to reopen and rehear the application for a pension of Margaret Reilly, widow of Matthew J. Reilly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 922, Rec. No. 458) entitled "An act to amend the Greater New York charter, in relation to the dedication of certain lands for markets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2063, Rec. No. 459) entitled "An act to amend the Greater New York charter, in relation to territory for the accommodation and use of canal boats and barges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 972, Rec. No. 460) entitled "An act to provide for iron gates for the protection of life on streets leading to the Gowanus canal in the borough of Brooklyn in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1890, Rec. No. 461) entitled "An act to authorize the city of Little Falls, New York, to enlarge, improve and perfect its supply of pure and wholesome water and to issue bonds to raise money for such purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2002, Rec. No. 462) entitled "An act to establish a retirement fund for the pensioning retired school teachers, superintendents, supervisors and heads of high school departments of the public schools of the city of Schenectady, and to regulate the collection, management and disbursement thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, said bill was substituted for Senate bill (No. 712, Int. No. 602), now on the order of third reading.

Also, the bill (No. 1995, Rec. No. 463) entitled "An act to amend chapter 371 of the Laws of 1903, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to City Court constables," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Also, the bill (No. 606, Rec. No. 464) entitled "An act to amend the Greater New York charter, relative to setting apart

piers for recreation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 853, Rec. No. 465) entitled "An act to make the office of sheriff of Tompkins county a salaried office, in part, and to regulate the management thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1941, Rec. No. 466) entitled "An act to amend chapter 579 of the Laws of 1903, entitled 'An act to enable the city of Yonkers to erect a city hall and purchase the necessary land therefor, and to provide for the issue of bonds for the payment therefor,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1999, Rec. No. 467) entitled "An act to amend chapter 288 of the Laws of 1906, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1613, Rec. No. 468) entitled "An act to amend chapter 312 of the Laws of 1898, entitled 'An act, increasing the jurisdiction of the city court of Albany, and relative to a jury list in said court, and regulating the practice therein,' in relation to costs in said court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2000, Rec. No. 469) entitled "An act to amend chapter 275 of the Laws of 1899, entitled 'An act to revise the charter of the city of Gloversville,' in relation to the appointment of city physicians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1996, Rec. No. 470) entitled "An act to amend the Tax Law, in relation to exemptions of real estate owned by a free public library in villages of the third and fourth classes," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 1811, Rec. No. 471) entitled "An act authorizing the city of Buffalo to borrow money by bond issues for the purpose of refunding to corporations sums paid by them to said city, as taxes upon their special franchises, in excess of what such taxes would have been if the assessments had been made as determined by final orders in certiorari proceedings to review such assessments," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hill, and by unanimous consent, said bill was substituted for Senate bill (No. 971, Int. No. 793), now on the order of third reading.

Also, the bill (No. 1906, Rec. No. 472) entitled "An act to amend the Penal Code, relative to limiting the amount to be expended by candidates for public office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1864, Rec. No. 473) entitled "An act to amend the Labor Law, relative to the issuance of employment certificates for children in factories and mercantile establishments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2005, Rec. No. 474) entitled "An act to amend the Labor Law, relative to confectioneries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1949, Rec. No. 475) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school districts Nos. 4 and 11 of the town of Kirkwood, Broome county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 220, Rec. No. 476) entitled "An act to amend the Greater New York charter, in relation to the salaries of the borough presidents," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1950, Rec. No. 477) entitled "An act authorizing the police commissioner of the city of New York to rehear the charges upon which Thomas F. Campbell, formerly a patrolman in the police department of said city, was dismissed from said department, and to reinstate him in his former position," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2007, Rec. No. 478) entitled "An act to amend the Navigation Law, in relation to life boats," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, the bill (No. 1443, Rec. No. 479) entitled "An act to create and establish the office of commissioner of elections in the county of Westchester, and prescribing his duties," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Carpenter, and by unanimous consent, said bill was substituted for Senate bill (No. 765, Int. No. 648), now in the committee of the whole.

Also, the bill (No. 1998, Rec. No. 480) entitled "An act to amend the Penal Code, in relation to the sale of transportation tickets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1863, Rec. No. 481) entitled "An act to amend the Military Code, in relation to the appointment of officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on military affairs.

Also, the bill (No. 1845, Rec. No. 482) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2003, Rec. No. 483) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly returned the Assembly bill (No. 1278, Senate reprint No. 1049, Rec. No. 293) entitled "An act to amend the Agricultural Law, in relation to the powers and duties of the Commissioner of Agriculture," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1268, Senate reprint No. 958, Rec. No. 212) entitled "An act creating the office of county attorney in and for certain counties," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with the message that the Senate has concurred in the passage of the same.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 1565, Senate reprint No. 1111, Rec. No. 319) entitled "An act to establish a police pension fund for the city of Newburgh."

Also, Assembly bill (No. 845, Senate reprint No. 981, Rec. No. 83) entitled "An act making appropriations for the support of government."

Also, Senate bill (No. 1112, Int. No. 568) entitled "An act to regulate car service on street surface railroads in the county and borough of Queens."

Also, Senate bill (No. 1113, Int. No. 709) entitled "An act to amend chapter 288 of the Laws of 1906, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally."

Also, Senate bill (No. 1115, Int. No. 789) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon.'"

Also, Senate bill (No. 1114, Int. No. 156) entitled "An act to amend chapter 258 of the Laws of 1900, entitled 'An act in relation to the Court of Appeals law library at Rochester,' relative to the librarian."

Also, Senate bill (No. 1044, Int. No. 411) entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act."

Also, Senate bill (No. 33, Int. No. 33) entitled "An act to amend the Penal Code, relative to violations of provisions of the Labor Law."

Also, Senate bill (No. 322, Int. No. 293) entitled "An act to amend the Code of Civil Procedure, in relation to the qualifications of trial jurors in Queens county."

Also, Senate bill (No. 323, Int. No. 294) entitled "An act to amend the Code of Civil Procedure, relative to drawing of trial jurors in the county of Queens."

Also, Senate bill (No. 894, Int. No. 746) entitled "An act to amend the Insurance Law, in relation to certificates of authority of agents, and the filing of such certificates."

Also, Senate bill (No. 895, Int. No. 747) entitled "An act to amend section 31 of the Insurance Law, relative to the filing and publication of statements."

Also, Senate bill (No. 429, Int. No. 381) entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property abutting upon Manhattan avenue adjacent to Newtown creek, borough of Brooklyn, in the city of New York, by reason of the construction of the bridge over Newtown creek, between Manhattan avenue in the borough of Brooklyn, and Vernon avenue in the borough of Queens, and the approaches thereto."

Also, Senate bill (No. 730, Int. No. 614) entitled "An act to

amend the Greater New York charter, relative to the salary of the commissioner of docks and the deputy commissioner of docks."

Also, Senate bill (No. 1050, Int. No. 691) entitled "An act authorizing the board of estimate and apportionment of the city of New York in its discretion to direct that the cost and expense of opening, widening or extending streets in said city for the purpose of using such streets as an approach to bridges connecting the various boroughs of said city, shall be borne and paid by the city of New York."

Also, Senate bill (No. 910, Int. No. 751) entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to examine, audit and allow the balance of certain claims for reimbursement and compensation for expenditures made because of damages alleged to have been suffered by reason of the changes made in the grades of certain streets pursuant to a resolution of the board of aldermen, remaining unpaid after the payment of the part of said claims authorized to be allowed by chapter 599 of the Laws of 1906."

Also, Senate bill (No. 964, Int. No. 786) entitled "An act to amend the Greater New York charter, relative to the protection of the grounds and properties of educational institutions."

Also, Senate bill (No. 971, Int. No. 793) entitled "An act authorizing the city of Buffalo to borrow money by bond issues for the purpose of refunding to corporations sums paid by them to said city, as taxes upon their special franchises, in excess of what such taxes would have been if the assessments had been made as determined by final orders in certiorari proceedings to review such assessments."

Also, Senate bill (No. 943, Int. No. 769) entitled "An act to amend the Tax Law, in relation to the taxation of bank shares."

Also, Senate bill (No. 1038, Int. No. 837) entitled "An act to amend the Forest, Fish and Game Law, in relation to the annual compilation of the law."

Leave of absence was granted to Messrs. Grady and Thompson for to-day's session.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Hooker (No. 995, Int.

No. 809), entitled "An act to provide for a commission to inquire into the subject of highway improvement and to revise the laws relating thereto and making an appropriation therefor," reported in favor of the passage of the same with amendments.

Mr. Cobb moved that said bill be recommitted to the committee on finance for a hearing.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|---------|-----------|----------|------------|--------|
| Boyce | Foelker | Harte | Owens | Taylor |
| Burr | Franchot | Hasenfug | Ramsperger | Travis |
| Cobb | Fuller | Knapp | Smith | Tully |
| Cullen | Gates | McCall | Sohmer | Wemple |
| Emerson | Gilchrist | McCarren | Sullivan | Wilcox |
| Fancher | Grattan | McManus | | |

28

FOR THE NEGATIVE.

| | | | | |
|-----------|-----------|--------|--------|-------|
| Agnew | Carpenter | Dunn | Hooker | Saxe |
| Allds | Cordts | Hill | Raines | White |
| Armstrong | Davis | Hinman | | |

13

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Newton (No. 1221, Rec. No. 254), entitled "An act to provide for supplying the village of McGrawville with water, to authorize said village to incur indebtedness therefor and to create a board of water commissioners for said village," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Averill (No. 1382, Rec. No. 228), entitled "An act to amend chapter 258 of the Laws of 1900, entitled 'An act in relation to the Court of Appeals law library at Rochester,' relative to the salary of librarian," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Dunn, and by unanimous consent, said bill was substituted for Senate bill (No. 1114, Int. No. 156), now on the order of third reading.

Mr. Hinman, from the committee on miscellaneous corporations, to which was referred the Assembly bill introduced by Mr. Mead (No. 1515, Rec. No. 310), entitled "An act to amend the

Transportation Corporations Law, in relation to the corporations for the generation and distribution of music electrically," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Heacock (No. 1158, Int. No. 898), entitled "An act to amend an act entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad and to regulate the weight of rail and the fare on the same,' passed May 8, 1867," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Foelker, from the committee on canals, to which was referred the Senate bill introduced by Mr. Cassidy (No. 752, Int. No. 638), entitled "An act to amend chapter 147 of the Laws of 1903, entitled 'An act making provision for issuing bonds to the amount of not to exceed \$101,000,000, for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people, to be voted upon at the general election to be held in the year 1903,' in relation to the lease or sale of water," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Waters (No. 870, Rec. No. 200), entitled "An act to provide for the paying and improvement of certain streets in the village of Green Island, Albany county, N. Y., and to provide for the method and means of paying therefor," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Armstrong (No. 1063, Int. No. 847), entitled "An act to provide for the selection of a site for a State hospital for the insane in the southeastern part of the State, in the vicinity of the city of New York, and for securing contracts for the sale to the State of the lands so se-

lected," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Hooker (No. 1119, Int. No. 882), entitled "An act to amend chapter 371 of the Laws of 1893, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village and to repeal certain acts and parts of acts,' generally," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hooker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. White (No. 915, Int. No. 756), entitled "An act to reappropriate money for the erection of a State armory and stable in the city of Syracuse as provided for by chapter 743 of the Laws of 1905," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. White, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. West (No. 1654, Rec. No. 400), entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to the payment of the cost of construction," reported the same with a recommendation that said bill be committed to the committee on internal affairs of towns and counties.

Ordered, That said bill be referred to the committee on internal affairs of towns and counties.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Lewis (No. 1369, Rec. No. 395), entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of public highways,' in relation to assessing the cost of highways now improved or constructed pursuant to petition of abutting

owners," reported the same with a recommendation that said bill be committed to the committee on internal affairs of towns and counties.

Ordered, That said bill be referred to the committee on internal affairs of towns and counties.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Patton (No. 24, Rec. No. 90), entitled "An act for the relief of persons, firms and corporations who rendered services and furnished labor or material which was used in constructing the State armory in the late village, now city, of Tonawanda, Erie county, N. Y.," reported the same with a recommendation that said bill be committed to the committee on the judiciary.

Ordered, That said bill be referred to the committee on the judiciary.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Armstrong (No. 1064, Int. No. 848), entitled "An act to amend the Insanity Law, relative to the erection, alteration, repairs and improvements of State hospital buildings," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Moreland (No. 1957, Rec. No. 440), entitled "An act approving a final order made on the 15th day of March in the year 1907, by the State Water Supply Commission, pursuant to chapter 734 of the Laws of 1904, as amended by chapter 418 of the Laws of 1906, for the improvement and regulation of the flow of Canaseraga creek, in the towns of North Dansville, Sparta, West Sparta, Groveland and Mount Morris, in the county of Livingston, and authorizing the work of such improvement," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hooker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Moreland (No. 894,

Rec. No. 283), entitled "An act making an appropriation for the payment of the principal and interest of Adirondack park bonds, issued pursuant to chapter 220 of the Laws of 1897," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Gates (No. 802, Int. No. 674), entitled "An act to reappropriate money for the erection of a new armory building in the city of Oswego as provided for by chapter 742 of the Laws of 1905," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Saxe (No. 686, Int. No. 371), entitled "An act in furtherance of the commission heretofore created to confer with the Governor and Legislature of the State of New Jersey for the purpose of developing a system of transit between the city of New York and the State of New Jersey, extending its powers and making an appropriation therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Grady (No. 982, Int. No. 162), entitled "An act to aid in the erection of a memorial to the late Andrew H. Green in the city of New York and making an appropriation therefor," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Wemple (No. 798, Int. No. 670), entitled "An act to protect owners of securities of railroads having mortgages of record," reported the same to the Senate with amendments.

On motion of Mr. Wilcox, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on railroads.

The Senate bill (No. 1115, Int. No. 789) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | O'Neil | Taylor |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Raines | Wemple |
| Cassidy | Franchot | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1382, Rec. No. 228) entitled "An act to amend chapter 258 of the Laws of 1900, entitled 'An act in relation to the Court of Appeals law library at Rochester,' relative to the salary of librarian," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with

a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1042, Rec. No. 137) entitled "An act to amend the Highway Law, in relation to cutting and destroying weeds, briars and brush in the highways," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenfug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1039, Rec. No. 130) entitled "An act to amend chapter 684 of the Laws of 1905, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' in relation to street improvement and publication of notice," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|----------|----------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenfug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |

| | | | | |
|-----------|-----------|--------|------------|--------|
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1523, Rec. No. 302) entitled "An act to amend chapter 488 of the Laws of 1905, entitled 'An act to establish a firemen's pension fund in the city of Troy, and providing for the payment of pensions therefrom,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1725, Rec. No. 384) entitled "An act to provide a park board in and for the city of Utica," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 894, Int. No. 746) entitled "An act to amend the Insurance Law, in relation to certificates of authority of agents, and the filing of such certificates," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 895, Int. No. 747) entitled "An act to amend section 31 of the Insurance Law, relative to the filing and publication of statements," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|------------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug] | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen] | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1753, Rec. No. 381) entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled "An act to incorporate the village of Saugerties," in relation to the salary of clerk,' " was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis] |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 429, Int. No. 381) entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property abutting upon Manhattan avenue adjacent to Newtown creek,

borough of Brooklyn, in the city of New York, by reason of the construction of the bridge over Newtown creek, between Manhattan avenue in the borough of Brooklyn and Vernon avenue in the borough of Queens, and the approaches thereto," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1050, Int. No. 691) entitled "An act authorizing the board of estimate and apportionment of the city of New York in its discretion to direct that the cost and expense of opening, widening or extending streets in said city for the purpose of using such streets as an approach to bridges connecting the various boroughs of said city, shall be borne and paid by the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |

| | | | | |
|-----------|-----------|--------|------------|--------|
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordtz | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 730; Int. No. 614) entitled "An act to amend the Greater New York charter, relative to the salary of the commissioner of docks and the deputy commissioner of docks," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Agnew | Cullen | Gilchrist | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Fancher | Heacock | Owens | Travis |
| Carpenter | Foelker | Hill | Page | Tully |
| Cassidy | Franchot | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cordtz | Gates | McCall | Saxe | Wilcox |

45

FOR THE NEGATIVE.

Hinman

1

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 910, Int. No. 751) entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to examine, audit and allow the balance of certain claims for reimbursement and compensation for expenditures made because of damages alleged to have been suffered by reason of the changes made in the grades of certain streets pursuant to a resolution of the board of aldermen, remaining unpaid after the payment of the part of said claims authorized to be allowed by chapter 599 of the Laws of 1906," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1034, Rec. No. 146) entitled "An act to amend the Code of Civil Procedure, in relation to the appointment and salary of special deputy clerks in counties containing a city of the first class," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Agnew | Cullen | Gates | Knapp | Saxe |
| Allds | Davis | Gilchrist | McCall | Smith |
| Armstrong | Dunn | Grattan | McManus | Sohmer |
| Boyce | Emerson | Harte | Mullaney | Sullivan |
| Burr | Fancher | Hasenflug | O'Neil | Travis |
| Carpenter | Foelker | Heacock | Owens | Tully |
| Cassidy | Franchot | Hill | Page | Wemple |
| Cobb | Fuller | Hooker | Raines | White |
| Cordts | | | | |

41

FOR THE NEGATIVE.

| | | | | | |
|--------|----------|------------|--------|--------|---|
| Hinman | McCarren | Ramsperger | Taylor | Wilcox | 5 |
|--------|----------|------------|--------|--------|---|

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 964, Int. No. 786) entitled "An act to amend the Greater New York charter, relative to the protection of the grounds and properties of educational institutions," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 631, Rec. No. 177) entitled "An act to authorize the police commissioner of the city of New York, in his discretion, to reopen the investigation of the legality of the appointment of Joseph Devlin as a member of the police department and force of the city of New York, to make a reinvestigation of the same and to reinstate or restore him as a roundsman in the police department and force of said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |

| | | | | |
|-----------|-----------|--------|------------|--------|
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1172, Rec. No. 340) entitled "An act to amend the Greater New York charter, in relation to the qualifications of patrolmen," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1175, Rec. No. 341) entitled "An act to amend the Greater New York charter, in relation to qualifications of firemen," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenfug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1367, Rec. No. 417) entitled "An act to amend the Public Health Law, in relation to the payment of expenses of health officers in attending sanitary conferences," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenfug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 529, Rec. No. 441) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Richard Dillon, a policeman of the second grade, for reinstatement in said department," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allis | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1288, Rec. No. 244) entitled "An act to amend section 656 of the Penal Code, relating to abandoned animals," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days; and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allis | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1590, Rec. No. 309) entitled "An act to amend chapter 2 of the Laws of 1907, entitled 'An act to con-

firm the election in Malone village for, and the acts of the board of trustees of said village in, the purchase of the water works system of said village, and to authorize the said board of trustees to issue bonds for the purpose of paying the bond of the village falling due April 1, 1907, and the bonds the village assumed as a part of the purchase price of its said system of water works,' relative to issuing bonds," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1038, Int. No. 837) entitled "An act to amend the Forest, Fish and Game Law, in relation to the annual compilation of the law," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |

| | | | | |
|---------|-----------|--------|------------|--------|
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 958, Rec. No. 170) entitled "An act to repeal section 3 of chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to the removal of actions to courts of higher jurisdiction," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allis | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1811, Rec. No. 471) entitled "An act authorizing the city of Buffalo to borrow money by bond issues for the purpose of refunding to corporations sums paid by them to said city, as taxes upon their special franchises, in excess of what such taxes would have been if the assessments had been made as determined by final orders in certiorari proceedings to review such assessments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2002, Rec. No. 462) entitled "An act to establish a retirement fund for pensioning retired school teachers, superintendents, supervisors and heads of high school departments of the public schools of the city of Schenectady, and to regulate the collection, management and disbursement thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Agnew | Davis | Grattan | McCarren | Smith |
| Allds | Dunn | Harte | McManus | Sohmer |
| Armstrong | Emerson | Hasenflug | Mullaney | Sullivan |
| Boyce | Fancher | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Travis |
| Carpenter | Franchot | Hinman | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | Wemple |
| Cobb | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1565, Senate reprint No. 1111, Rec. No. 319) entitled "An act to establish a police pension fund for the city of Newburgh," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grattan | McManus | Sullivan |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hinman | Raines | Wemple |
| Cassidy | Franchot | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 845, Senate reprint No. 981, Rec. No. 83) entitled "An act making appropriations for the support of government," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Agnew | Cullen | Gates | Knapp | Sohmer |
| Allds | Davis | Gilchrist | McCall | Sullivan |
| Armstrong | Dunn | Grattan | McCarren | Taylor |
| Boyce | Emerson | Harte | Owens | Travis |
| Burr | Fancher | Hasenflug | Raines | Tully |
| Carpenter | Foelker | Hill | Ramsperger | Wemple |
| Cassidy | Franchot | Hinman | Saxe | White |
| Cobb | Fuller | Hooker | Smith | Wilcox |

41

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 818, Int. No. 690) entitled "An act to amend chapter 617 of the Laws of 1868, entitled 'An act to in-

corporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' as amended by chapter 321 of the Laws of 1876, and as further amended by chapter 127 of the Laws of 1887, and as further amended by chapter 260 of the Laws of 1889," having been announced for third reading, Mr. Wemple moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Strike out lines 1, 2, 3, 4, 5, on page 1 and lines 1, 2, 3, 4, 5, on page 2 and substitute instead the following:

"Section 1. Chapter six hundred and seventeen of the laws of eighteen hundred and sixty-eight, entitled "An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy conference," as amended by chapter two hundred and forty-four of the laws of eighteen hundred and sixty-nine, chapter two hundred and twenty-seven of the laws of eighteen hundred and seventy-three, chapter three hundred and twenty-one of the laws of eighteen hundred and seventy-six, chapter two hundred and sixteen of the laws of eighteen hundred and seventy-seven, chapter one hundred and twenty-seven of the laws of eighteen hundred and eighty-seven, chapter two hundred and sixty of the laws of eighteen hundred and eighty-nine, and chapter two hundred and eighty-eight of the laws of eighteen hundred and ninety-four, is hereby amended so as to read as follows:"

Page 6, line 1, after the word "years" insert the following: "No person shall be eligible to the office of trustee, unless he shall be the owner of a lot within the grounds of the association, which is subject to ground rent and upon which such rent and all other sums due to the association shall have been paid."

Page 7, line 5, take out the last "s" in the word "constitutions", and on the 6th line of the same page after the first word "of" insert the word "the".

Page 7, at the end of line 9, insert the following: "At each annual meeting the board of trustees shall present a statement of the receipts and disbursements of the association for the preceding year, showing from what sources the various sums were received and on what account and for what purposes the various sums were expended; such statement shall be kept among the records of the association where it shall be open to the inspection of all lot holders at reasonable hours, to be fixed by the board of trustees. The board of trustees shall from time to time make up a statement of the assets and property of the association and

shall keep the same on file in the office of the association where it shall be open to the inspection of lot holders at reasonable hours, to be fixed by the board of trustees; but said board shall not be required to make up such a statement oftener than once a year."

Page 7, line 25, put the word "also" in italics.

Page 8, line 15, take out the period after the word "created" and insert instead a semicolon, and then add the following words: "but nothing herein contained shall be held to authorize cumulative voting or voting by proxy upon the part of lot holders, at any election of trustees."

Page 8, line 15, after the word "sixty-eight" insert the words "as amended by chapter two hundred and twenty-seven of the Laws of eighteen hundred and seventy-three and", and on the same line after the word "as" insert the word "further".

Page 9, line 4, strike out the word "original" and insert instead the word "criminal", and on lines 4 and 5 the word "presided" should be spelled correctly.

Page 11, line 8, after the word "trustees" at the end of the line strike out the period and insert a comma, and then add the words "but a majority of the elective trustees shall at all times and for all purposes constitute a quorum for the transaction of business", and on the same page after the word "seventy-six" on line 12, add the words "and as amended by chapter two hundred and eighty-eight of the Laws of eighteen hundred and ninety-four."

Page 11, line 26, strike out the words "making any loud or unusual noise".

Page 12, line 17, after the word "corporation" insert the words "affecting the property, health or security of the inhabitants, or the sanitary condition of the grounds of the association", and the title amended to read as follows: "An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy conference, generally."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 943, Int. No. 769) entitled "An act to amend the Tax Law, in relation to the taxation of bank shares," having been announced for third reading, Mr. Saxe moved that said bill be recommitted to the committee on taxation and re-

trenchment, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, strike out all of line 8 after the word "amended" and all of line 9 and in place thereof insert, to read as follows:

24. Bank shares, how assessed.— In assessing the shares of stock of banks or banking associations organized under the authority of this state or of the United States, the assessment and taxation shall not be at a greater rate than is made or assessed upon other monied capital in the hands of individual citizens of this state. The value of each share of stock of each bank and banking association, except such as are in liquidation, shall be ascertained and fixed by adding together the amount of the capital stock, surplus and undivided profits of such bank or banking association and by dividing the result by the number of outstanding shares of such bank or banking association. The value of each share of stock in each bank or banking association in liquidation shall be ascertained and fixed by dividing the actual assets of such bank or banking association by the number of outstanding shares of such bank or banking association. The rate of tax upon the shares of stock of banks and banking associations shall be one per centum upon the value thereof, as ascertained, and fixed, in the manner hereinbefore provided, and the owners of the stock of banks and banking associations shall be entitled to no deduction from the taxable value of their shares because of the personal indebtedness of such owners, or for any other reason whatsoever. Complaints in relation to the assessments of the shares of stock of banks and banking associations made under the provisions of this act shall be heard and determined as provided in article two, section thirty-six of the tax law. The said tax shall be in lieu of all other taxes whatsoever for state, county or local purposes upon the said shares of stock, and mortgages, judgments and other choses in action and personal property held or owned by banks or banking associations the value of which enters into the value of said shares of stock, shall also be exempt from all other state, county or local taxation. The tax herein imposed shall be levied in the following manner: The board of supervisors of the several counties shall, on or before the fifteenth day of December in each year, ascertain from an inspection of the assessment rolls in their respective counties, the number of shares of stock of banks and banking associations in each town, city, village, school and other tax district, in their several counties, respectively, in which such shares of stock are taxable, the names of the banks issuing the same, respectively, and the assessed value of such shares, as ascertained in the manner provided in this act

and entered upon the said assessment rolls, and shall forthwith mail to the president or cashier of each of said banks or banking associations a statement setting forth the amount of its capital stock, surplus and undivided profits, the number of outstanding shares thereof, the value of each share of stock taxable in said county, as ascertained in the manner herein provided, and the aggregate amount of tax to be collected and paid by such bank and banking association, under the provisions of this act. A certified copy of each of said statements shall be sent to the county treasurer. It shall be the duty of every bank or banking association to collect the tax due upon its shares of stock from the several owners of such shares, and to pay the same to the treasurer of the county wherein said bank or banking association is located, and in the city of New York to the receiver of taxes thereof on or before the thirty-first day of December in said year; and any bank or banking association failing to pay the said tax as herein provided shall be liable by way of penalty for the gross amount of the taxes due from all owners of the shares of stock, and for an additional amount of one hundred dollars for every day of delay in the payment of said tax. Every bank or banking association so paying the taxes due upon the shares of its stock shall have a lien on the shares of stock and on all property of the several share owners in its hands, or which may at any time come into his hands, for reimbursement of the taxes so paid on account of the several share holders, with legal interest; and such lien may be enforced in any appropriate manner. The tax hereby imposed shall be distributed in the following manner: The board of supervisors of the several counties shall ascertain the tax rate of each of the several town, city, village, school and other tax districts in their counties respectively, in which the shares of stock of banks and banking associations shall be taxable, which tax rates shall include the proportion of state and county taxes levied in such districts, respectively, for the year for which the tax is imposed, and the proportion of the tax on bank stock to which each of said districts shall be respectively entitled shall be ascertained by taking such proportion of the tax upon the shares of stock of banks and banking associations, taxable in such districts respectively, under the provisions of this act as the tax rate of such tax district shall bear to the aggregate tax rates of all the tax districts in which said shares of stock shall be taxable. The clerk of the several cities, villages and school districts to which any portion of the tax on shares of stock of banks and banking associations is to be distributed under this act shall, in writing and under oath annually, report to the board of supervisors of their respective counties, during the first week of the annual session of such board, the tax rate

of such city, village and school district for the year prior to the meeting of each such board. The said board of supervisors shall issue their warrant or order to the county treasurer on or before the fifteenth day of December in each year, setting forth the number of shares of bank stock taxable in each town, city, village, school and other tax district in said county, in which said shares of stock shall be taxable, the tax rate of each of said tax districts for said year, the proportion of the tax imposed by this act to which each of said tax districts is entitled, under the provisions hereof, and commanding him to collect same, and to pay to the proper officer in each of such districts the proportion of such tax to which it is entitled under the provisions of this act. The said county treasurer shall have the same powers to enforce the collection and payment of said tax as are possessed by the officers now charged by law with the collection of taxes, and the said county treasurer shall be entitled to a commission of one per centum for collecting and paying out said moneys, which commission shall be deducted from the gross amount of said tax before the same is distributed. In issuing their warrants to the collectors of taxes, the board of supervisors shall omit therefrom assessments of and taxes upon the shares of stock of banks and banking associations. All assessments of the shares of stock of banks and banking associations made on or after January first, nineteen hundred and one, and prior to the passage of this act, shall be null and void, and new assessments thereof shall be made agreeably to the provisions of this act. Provided, that, in the city of New York the statement of the bank assessment and tax herein provided for shall be made by the board of tax commissioners of said city, on or before the fifteenth day of December in each year, and by them forthwith mailed to the respective banks and banking associations located in said city, and a certified copy thereof sent to the receiver of taxes of said city. The tax shall be paid by the respective banks in said city to the said receiver of taxes on or before the thirty first day of December in said year, and said tax shall be collected by the said receiver of tax and shall be by him paid into the treasury of said city to the credit of the general fund thereof. This act is not to be construed as an exemption of the real estate of banks or banking associations from taxation.

Page 2, lines 1 and 2, strike out "of the general laws".

Page 2, line 3, insert a comma after the word "one" and strike out the word "and" in same line.

Page 2, line 4, insert before the word "is" the following "and chapter 121 of the Laws of 1907".

Page 2, line 5, strike out all after the word "amended" and strike out line 6 and insert "to read as follows:"

202. Exemptions from other state taxation.—The personal property of every corporation, company, association of partnership, taxable under this article, other than for an organization tax, shall be exempt from assessment and taxation upon its personal property for state purposes, if all taxes due and payable under this article have been paid thereby. The personal property of every corporation taxable under section one hundred and eighty-seven-a of this article, other than for an organization tax, and as provided in chapter thirty-seven of the general law, shall be exempt from assessment and taxation for all other purposes. The personal property of a private or individual banker, actually employed in his business as such banker, shall be exempt from taxation for state purposes, if such private or individual banker shall have paid all taxes due and payable under this article. Such corporation and private or individual banker shall in no other respect be relieved from assessment and taxation by reason of the provisions of this article. The owner and holder of stock in an incorporated trust company liable to taxation under the provisions of this act shall not be taxed as an individual for such stock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Allds, from the committee on taxation and retrenchment, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 1044, Int. No. 411) entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act," having been announced for third reading, Mr. Owens moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Page 18, line 10, strike out the words "Madison Grant" and insert the words "Harold E. Nagle."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|---------|----------|-----------|------------|--------|
| Boyce | Emerson | Gilchrist | McManus | Sohmer |
| Burr | Fancher | Harte | Owens | Taylor |
| Cassidy | Franchot | Hasenflug | Ramsperger | Travis |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cullen | Gates | McCarren | | |

23

FOR THE NEGATIVE.

| | | | | |
|-----------|-----------|--------|--------|--------|
| Agnew | Carpenter | Dunn | Hooker | Page |
| Allds | Davis | Hinman | Knapp | Raines |
| Armstrong | | | | |

11

Mr. Agnew moved to reconsider the vote by which said bill was amended, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|---------|--------|--------|
| Agnew | Carpenter | Dunn | Hinman | Page |
| Allds | Cordts | Grattan | Hooker | Raines |
| Armstrong | Davis | Hill | Knapp | |

14

FOR THE NEGATIVE.

| | | | | |
|---------|-----------|-----------|------------|--------|
| Boyce | Fancher | Hasenflug | O'Neil | Taylor |
| Burr | Franchot | Heacock | Owens | Travis |
| Cassidy | Fuller | McCall | Ramsperger | Tully |
| Cobb | Gates | McCarren | Saxe | Wemple |
| Cullen | Gilchrist | McManus | Smith | Wilcox |
| Emerson | Harte | Mullaney | Sohmer | |

29

Mr. Agnew then withdrew the motion to reconsider.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 1162, Int. No. 745) entitled "An act to amend the Greater New York charter, in relation to the fixing of the salaries of members of the supervising and teaching staff of the public schools of the city of New York," having been announced for third reading, Mr. White moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 8, after the word "bylaws" strike out the comma.

Same page, line 9, strike out the word "assistant" and insert the word "assistants".

Page 2, line 1, before the word "principals" insert the words "to the".

Same page, line 12, after the word "assistant" insert the words "to the", and after the word "principal" insert the words "or the head of the department."

Same page, line 13, same amendments as line 12.

Same page, lines 14 and 15, strike out the words "the lowest grade" and insert the word "any".

Page 3, line 3, after the word "shall" strike out the comma.

Same page, line 6, after the word "or" insert the word "a".

Same page, line 16, after the word "schools" strike out the comma.

Same page, line 21, after the word "department" insert a comma.

Page 4, line 2, after the word "assistant" insert a comma.

Page 5, line 23, after the word "and" at the end of line insert the word "the".

Page 6, line 9, after the word "schools" insert a comma.

Page 7, line 7, strike out the word "That" and insert "that".

Page 8, line 17, after the word "section" strike out the period and insert a comma.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 464, Int. No. 410) entitled "An act to amend the Banking Law, in relation to the superintendent taking possession of banks or individual banker's property, and giving notice thereof, and forbidding subsequent payments and clearances," having been announced for third reading, Mr. McManus moved that said bill be recommitted to the committee on banks, with instructions to said committee to report the same forthwith, amended as follows:

Page 4, line 1, after the word "of" insert the words "any such".

Same page, line 10, strike out the word "of".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gates, from the committee on banks, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 638, Int. No. 557) entitled "An act to amend chapter seven of the laws of nineteen hundred and four, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to the paid police force," having been announced for third reading. Mr. Allds moved that said bill be recommitted to the committee on affairs of villages, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 1, strike out the word "les" and insert the word "more".

Same page, line 2, strike out the word "five".

Same page, line 3, strike out the word "less" and insert the word "more".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Carpenter, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Hill moved that the committee of the whole be discharged from the consideration of Assembly bill (No. 62, Rec. No. 331), entitled "An act to amend the penal code relative to punishment for murder in the second degree," and that said bill be ordered to a third reading and recommitted to the committee on codes, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill offered the following: "Concurrent resolution of Senate and Assembly of the State of New York, authorizing the appointment of a commission to confer with commissioners of Vermont and the Dominion of Canada in relation to the observance of the tercentenary of the discovery of Lake Champlain."

Whereas, The discovery of Lake Champlain by Samuel de Champlain, on July 4, 1609, antedates the discovery by the Whites of any other portion of the territory now comprising the State of New York, and was an event worthy of commemoration in the annals of the State and nation, and

Whereas, The State of Vermont in 1906, appointed a commission consisting of the Governor of that State, and six other

commissioners to confer with commissioners to be appointed on the part of New York and the Dominion of Canada, to ascertain what action, if any, ought to be taken by such states and the Dominion of Canada for the observance of such tercentenary; therefore,

Resolved (if the Assembly concur), That a commission consisting of the Governor, who shall be chairman ex officio, and the two citizens to be designated by the Governor, three senators to be designated by the temporary President of the Senate, and three members of the Assembly to be designated by the Speaker, be appointed to represent the State of New York at such conference, with power to enter into negotiations with the commissioners representing the State of Vermont and those representing the Dominion of Canada for the observance of such tercentenary, and that such commission report the results of their negotiations together with their recommendations thereon to the Legislature of 1908.

The members of the commission shall not receive compensation, but each shall be entitled to his actual and necessary expenses incurred in the performance of his official duties under the provisions of this resolution, to be paid by the State Treasurer on the audit and warrant of the Comptroller; the aggregate expenditure, however, shall not exceed the amount expressly appropriated therefor.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Agnew | Cullen | Gilchrist | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Fancher | Heacock | Owens | Travis |
| Carpenter | Foelker | Hill | Page | Tully |
| Cassidy | Franchot | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cordts | Gates | McCall | Saxe | Wilcox |

45

FOR THE NEGATIVE.

Hinman

1

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Carpenter offered the following:

Resolved (if the Assembly concur). That a respectful message be sent to the Governor, requesting the return to the Senate of

the Senate bill (No. 704, Int. No. 594) entitled "An act to amend an act to organize and establish a police department for the village of White Plains, county of Westchester and State of New York, being chapter 306 of the Laws of 1904, as amended by chapter 165 of the Laws of 1906."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Cullen offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill (No. 451, Int. No. 397) entitled "An act to provide for the payment of the claim of Henry Yonge and Thomas F. Donnelly for legal services performed by them in the matter of the investigation conducted before Hon. Edward M. Grout, comptroller of New York city, pursuant to section 149 of the New York city charter, as to the justness of certain claims presented by the New York Edison Company for supplying electric light to the public buildings in the boroughs of Manhattan and the Bronx and also lighting the streets in the same boroughs, from the 1st day of January, 1903, to the 10th day of March, 1904, and also to the justness of certain claims presented by the Consolidated Gas Company for supplying gas, lamp lighting and gas light to public buildings in the borough of Manhattan, from the 1st day of January, 1903, to the 15th day of March, 1904," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. McCarren offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 82, Int. No. 82) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into the claim of the Donlon Contracting Company against the city of New York for cleaning the brick sewers of the borough of Brooklyn in the city of New York and to provide for the payment thereof," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. McCarren offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 77, Int. No. 77) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, determine, audit and allow the alleged claim of John W. Carpenter for services alleged to have been rendered between the 1st day of January, 1900, and the 1st day of October, 1900, inclusive, as clerk of the Municipal Court of said city in the third district of the borough of Brooklyn," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Grattan offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate

of the Senate bill (No. 520, Int. No. 453) entitled "An act to amend 'An act to incorporate the trustees of the William Crosswell Doane fund for Christian work in the diocese of Albany' (being chapter 205 of the Laws of 1906), passed April 12, 1906."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Harte offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 507, Int. No. 236) entitled "An act to provide for the payment of the claim of John M. Phillips, for work and material furnished the bureau of highways of the borough of Queens, the city of New York, during the year 1903," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Harte offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 286, Int. No. 272) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit, and allow the claims of James T. Ellett and Frank Miller, for compensation for services rendered as secretary and watchman, respectively, to the Richmond county park commissioners," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Travis moved that the committee of the whole be discharged from the consideration of Senate bill (No. 1155, Int. No. 703), entitled "An act to amend the tax law, relative to certain exemptions," and that said bill be amended, reprinted and recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President presented a resolution adopted by the North Side Board of Trade of the city of New York, relative to the claim of John J. Scannell against the city of New York.

Ordered, That the said resolution be referred to the committee on affairs of cities.

The President presented a communication from the board of aldermen of the city of New York, relative to the Public Utilities bill.

Ordered, That said communication be referred to the committee on the judiciary.

The President presented the report of United States Life Saving Corps, which was laid upon the table and ordered printed.

(See Document.)

The Assembly returned the Assembly bill (No. 927, Senate reprint No. 1072, Rec. No. 193) entitled "An act to provide for the repair and improvement of existing mechanical and other structures, and work on and connected with the canals of this state."

Also, Assembly bill (No. 1049, Senate reprint No. 848, Rec. No. 143) entitled "An act to amend chapter 705 of the Laws of 1901, entitled 'An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office,' generally."

Also, Assembly bill (No. 575, Senate reprint No. 980, Rec. No. 38) entitled "An act to provide an additional appropriation for common schools, and authorizing the apportionment of district quotas to be made, in accordance with the provisions of chapter 698 of the Laws of 1906."

Also, Assembly bill (No. 199, Senate reprint No. 1024, Rec. No. 22) entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to examine into the facts concerning the services rendered by Hector McNeile, as clerk to a coroner of Kings county, and to provide for the payment of such claim."

Also, Assembly bill (No. 1272, Senate reprint No. 1047, Rec. No. 242) entitled "An act to regulate the taking of deposits by certain persons, firms and corporations," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the Senate bill (No. 532, Int. No. 345) entitled "An act to compel the New York and Harlem Railroad Company, lessor, and the New York Central and Hudson River Railroad Company, lessee, to construct foot-bridges or passage-ways for pedestrians over or under their tracks on certain streets in the city of New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 751, Int. No. 637) entitled "An act to amend the charter of the city of Utica, in relation to issuing bonds to pay purchases at tax sales, and provide a fund for uncollected taxes," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Utica for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 670, Int. No. 579) entitled "An act to amend the Forest, Fish and Game Law, in relation to transportation of certain fish."

Also, Senate bill (No. 648, Int. No. 559) entitled "An act to legalize, ratify and confirm an agreement between the United Traction Company, a domestic corporation, and the county of Albany, relative to the discontinuance of certain toll charges by said company on certain lands owned by said company and used as a turnpike, and providing for the repair, improvement and maintenance thereof."

Also, Senate bill (No. 679, Int. No. 588) entitled "An act to amend the Railroad Law, in relation to the consents of local authorities."

Also, Senate bill (No. 938, Int. No. 683) entitled "An act authorizing the Roman Catholic Sisters of Charity of Brooklyn, New York, a benevolent and charitable corporation, to convey a portion of its real property, located in the borough of Brooklyn, county of Kings, city and state of New York, to Right Reverend Charles E. McDonnell, D. D., bishop of Brooklyn."

Also, Senate bill (No. 662, Int. No. 359) entitled "An act to amend section 13 of chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws,' relating to the purchase, sale, mortgage and lease of real property," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, APRIL 11, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. C. W. Heisler.

The journal of yesterday was read and approved.

Mr. Saxe introduced a bill (Int. No. 935) entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of foods," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Allds introduced a bill (Int. No. 936) entitled "An act to amend the Liquor Law, in relation to State Commissioner of Excise, deputy commissioners, special deputy commissioners, excise taxes, liquor tax certificates, and local option," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Knapp introduced a bill (No. 937) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James P. Cunningham against the State of New York, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ackroyd introduced a bill (Int. No. 938) entitled "An act to provide for the continuance of the index systems now employed by the county clerk and the surrogate of Oneida county to cover the entire files of papers in their respective offices, and for the removal of the files and records kept in those offices to the new county building, in the city of Utica, and to provide for the expenses thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Fancher introduced a bill (Int. No. 939) entitled "An act to amend the Penal Code, in relation to the privileges of witnesses in investigations and proceedings relating to rebates and allowances by life insurance corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 940) entitled "An act to amend the Insurance Law, relating to the certificate of authority of agents and to the election of directors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Hooker introduced a bill (Int. No. 941) entitled "An act to amend the State Charities Law, in relation to vacations of employees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Taylor introduced a bill (Int. No. 942) entitled "An act to amend the General Village Law, in relation to auctioneering, peddling, hawking and selling goods in villages incorporated thereunder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Allds introduced a bill (Int. No. 943) entitled "An act making an appropriation for the New York State Hospital for the care of crippled and deformed children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Knapp introduced a bill (Int. No. 944), entitled "An act to amend the Insanity Law, relative to salaries of certain employees in hospitals for the criminal insane, at Dannemora and Matteawan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Fuller introduced a bill (Int. No. 945) entitled "An act to amend the Code of Civil Procedure, relative to the trial of issues," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 946) entitled "An act to amend the Code of Civil Procedure, relative to pleadings in civil actions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. McCall introduced a bill (Int. No. 947) entitled "An act to amend the Greater New York charter, in relation to signs and billboards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 948) entitled "An act to amend chapter 342 of the laws of 1902, entitled 'An act to make the office of supervisor in the county of Westchester a salaried office, and to regulate the sessions of the board of supervisors in said county,' in relation to the compensation, mileage and expenses of the supervisors of Westchester county," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 949) entitled "An act to amend the charter of the city of New Rochelle, in relation to the salary of the clerk of the board of education," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Cohalan introduced a bill (Int. No. 950) entitled "An act to amend certain sections of chapter 731 of the Laws of 1905, entitled 'An act to provide for the widening of Pelham avenue, and for the construction of a bridge to carry Pelham avenue as so widened over the tracks of the New York and Harlem Railroad, in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Burr introduced a bill (Int. No. 951) entitled "An act to amend chapter 686 of the Laws of 1894, entitled, as amended, 'An act for the preservation of macadamized and other public highways in the counties of Queens and Nassau,' by exempting certain roads from certain of the provisions thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of towns and counties.

Also, a bill (Int. No. 952) entitled "An act to authorize the village of Sag Harbor, Suffolk county, to vote upon questions specified in section 16 of chapter 112 of the Laws of 1896," which was read first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Tully, from the committee on internal affairs of towns and counties, introduced a bill (Int. No. 953) entitled "An act to establish School District No. 1 in the town of Ossining, in Westchester county, as a union free school district, to fix the boundaries of such district, to create its board of education a body corporate and to provide for the number, qualifications, appointment and election of the members of such board," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Hinman introduced a bill (Int. No. 954) entitled "An act to limit the application of the provisions of section 93 of the Railroad Law, ratifying and confirming certain contracts, so far as such provisions apply to the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence the bill (No. 1747, Rec. No. 484) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1918, Rec. No. 485) entitled "An act to amend the Code of Civil Procedure, relating to references to inquire as to creditors in actions for partition," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1920, Rec. No. 486) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to drawing jurors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1398, Rec. No. 487) entitled "An act to enable the board of police commissioners of the city of Yonkers, to review, rehear and determine the charges against James McGowan, formerly a patrolman in the police department of the city of Yonkers, and to reinstate said James McGowan as a patrolman in the said police department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1931, Rec. No. 488) entitled "An act relating to the removal of patients from hospitals in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1816, Rec. No. 489) entitled "An act to legalize bonds of the village of Hoosick Falls, to be issued for the purpose of acquiring the water supply system, property,

rights and privileges of the Hoosick Falls water supply company, and to renew and repair said system, and to legalize all proceedings of the board of trustees in relation thereto, including the proposition submitted to the qualified electors of said village at a special election held on the 15th day of January, 1907, and all proceedings of said board of trustees in relation and subsequent thereto, and to provide for the payment of the principal and interest of said bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1899, Rec. No. 490) entitled "An act to amend the Tax Law, relative to certain exemptions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1788, Rec. No. 491) entitled "An act to amend the Forest, Fish and Game Law; in relation to the close season for trout in Livingston county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1922, Rec. No. 492) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to the payment of money collected by such marshals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1896, Rec. No. 493) entitled "An act to amend the Tax Law, in relation to real property exempt by law from taxation, and the publishing of a list of such exempt property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 1897, Rec. No. 494) entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' relative to the exemption of cemetery property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1524, Rec. No. 495) entitled "An act to

amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' in relation to thoroughfares of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1836, Rec. No. 496) entitled "An act to amend chapter 676 of the Laws of 1898, entitled 'An act to create a metropolitan elections district; provide for the appointment of a State superintendent therein, and to prescribe his powers and duties,' in relation to the number, powers and compensation of deputies of the State superintendent of elections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1142, Rec. No. 497) entitled "An act relating to retirement of veterans employed by the State or any civil division thereof; granting pensions to veterans and providing for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 822, Rec. No. 498) entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2066, Rec. No. 499) entitled "An act to amend title 15 of the Consolidated School Law, by providing for courses of study in and the inspection and supervision of schools or classes in charitable and penal institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 996, Rec. No. 500) entitled "An act in relation to warehouse receipts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2092, Rec. No. 501) entitled "An act to provide for the election of a president of the common council of the city of Mount Vernon, defining his duties and fixing his salary," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1029, Rec. No. 502) entitled "An act authorizing the commissioners of the land office of the State of New York to quit-claim unto the abutting owners all the right, title and interest of the State of New York in and to that portion of the military road (so called), situate in the town of Lewiston, county of Niagara and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 2094, Rec. No. 503) entitled "An act authorizing the fire commissioner of the city of New York to rehear the charges upon which Charles Weigert, formerly a fireman in the fire department of the city of Brooklyn, now the city of New York, was dismissed from said department, and to reinstate him in his former position," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2051, Rec. No. 504) entitled "An act to amend chapter 259 of the Laws of 1900, entitled 'An act to change the name of the Justices' Court of the city of Troy to the "City Court of Troy," to prescribe the manner of the appointment of the clerk thereof, and of marshals and attendants upon said court, to increase the jurisdiction thereof, to abolish the office of constable in the city of Troy, and to regulate the practice in said court,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2050, Rec. No. 505) entitled "An act to amend the Labor Law, relative to the time when wages are to be paid," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 2041, Rec. No. 506) entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' gen-

erally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1885, Rec. No. 507) entitled "An act to change the name of the 'Bushwick Avenue Methodist Episcopal Church' to the Bushwick Avenue Central Methodist Episcopal Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2043, Rec. No. 508) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to the jurisdiction of such court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2090, Rec. No. 509) entitled "An act to amend the Code of Civil Procedure, relative to supplementary proceedings upon judgments recovered in the Municipal Court of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2052, Rec. No. 510) entitled "An act to amend the Labor Law, relative to hours of labor of children, minors and women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2042, Rec. No. 511) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to exempting the city of New York from the payment of costs and disbursements of the action when an appeal shall be taken," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1838, Rec. No. 512) entitled "An act to amend section 517 of the Laws of 1899, entitled 'An act to authorize the paving or macadamizing of streets, avenues, high-

ways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same, in relation to the rate of interest of bonds therein authorized to be issued," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 2047, Rec. No. 513) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse in Rensselaer, Westchester and Yates counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 2044, Rec. No. 514) entitled "An act to amend the Forest, Fish and Game Law, in relation to close season for black, gray or fox squirrels in the county of Yates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 2049, Rec. No. 515) entitled "An act to amend the Forest, Fish and Game Law, relative to close season for quail in certain counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 2048, Rec. No. 516) entitled "An act to amend the Forest Fish and Game Law, in relation to the close season for woodcock in Rensselaer and Yates counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 2089, Rec. No. 517) entitled "An act to amend the Tax Law, in relation to exemption of cemetery property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 2096, Rec. No. 518) entitled "An act to regulate the practice of medicine, and to repeal article 8 of chapter 661 of the Laws of 1893, and acts amendatory thereof," which was read the first time, and by unanimous consent was also

read the second time, and referred to the committee on public health.

Also, the bill (No. 2088, Rec. No. 519) entitled "An act making an appropriation for the State Engineer and Surveyor for the maintenance and repair of public highways improved or constructed by State aid, pursuant to chapter 115 of the Laws of 1898," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Also, the bill (No. 1562, Rec. No. 520) entitled "An act to amend the Revised Statutes, in relation to references in insolvent debtors' proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 808, Rec. No. 521) entitled "An act making an appropriation and reappropriation for the improvement of the canals," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on finance, retaining its place on the order of third reading.

The Assembly returned the bill (No. 560, Assembly reprint No. 2064, Int. No. 237) entitled "An act to amend chapter 9 of the general laws, known as the Executive Law, to provide for the filing by notaries public in the offices of registers of the several counties, of their signatures and certificates of their appointment," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 5, after the word "clerk" insert the following: "a notary public shall file in the office of said register his autograph signature and a certificate of a county clerk as is provided in section eighty-two for the filing of such signature and certificate in certain cases with a county clerk. No notary shall exercise in such county any of the functions of his office, and".

On page 1, lines 5 and 6, strike out the words "be required to".

On page 1, line 6, before the word "accept" strike out the word "to".

On page 2, lines 1 to 5, strike out the words beginning " filed in said " to and including word " clerk " on line 5.

Insert instead the words " first complied with the requirements hereof ".

On page 2, line 5, strike out the words "And the " and insert instead the word " The ".

Mr. Foelker moved that the Senate concur in said amendments.

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|-------------|----------|
| Ackroyd | Cullen | Gates | McCall | Saxe |
| Agnew | Davis | Grady | McCarren | Smith |
| Armstrong | Dunn | Grattan | McManus | Sohmer |
| Boyce | Emerson | Hasenflug | Mullaney | Sullivan |
| Carpenter | Fancher | Heacock | O'Neil | Taylor |
| Cassidy | Foelker | Hill | Owens | Tully |
| Cobb | Franchot | Hinman | Page | Wemple |
| Cohalan | Frawley | Hooker | Raines | White |
| Cordts | Fuller | Knapp | Ramsperger. | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the amendments of the Assembly thereto.

The Assembly returned the bill (No. 282, Assembly reprint No. 2045, Int. No. 269) entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries, and to fix the compensation of such stenographers,' relative to the appointment of and salaries of grand jury stenographers of Erie county," with a message that they have concurred in the passage of the same, with the following amendment:

Page 5, line 5, after the word "excepting" strike out all of lines 5, 6 and 7 and up to the word "and" on line 8 and insert the following: "that in the county of Erie, the salaries of said stenographers shall be fixed by the board of supervisors;"

Mr. Ramsperger moved that the Senate concur in said amendment.

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|----------|------------|----------|
| Ackroyd | Cullen | Grattan | McCarren | Smith |
| Agnew | Davis | Hasenfug | McManus | Sohmer |
| Armstrong | Dunn | Heacock | O'Neil | Sullivan |
| Boyce | Emerson | Hill | Owens | Taylor |
| Carpenter | Fancher | Hinman | Page | Tully |
| Casidy | Foelker | Hooker | Raines | Wemple |
| Cobb | Franchot | Knapp | Ramsperger | White |
| Cohalan | Fuller | McCall | Saxe | Wilcox |
| Cordts | Gates | | | |

42

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the amendment of the Assembly thereto.

The Assembly returned the bill (No. 364, Assembly reprint No. 2046, Int. No. 24) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to compensation of commissioners taking depositions," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 7, strike out "immediately" and insert in place thereof "September first, nineteen hundred and seven".

Page 1, line 6, after "330." insert "When prevailing party to recover costs."

Same page and line strike out "provided" and insert in place thereof "prescribed".

Page 2, line 3, after "party" insert comma.

Same page and line after "him" italicise comma.

Mr. Fuller moved that the Senate concur in said amendments.

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in

Also, Senate bill (No. 1150, Int. No. 145) entitled "An act authorizing the board of estimate and apportionment of the city of New York to inquire into the alleged claim of George R. Dubois, a janitor in the justices' court of the former city of Brooklyn, first district, for services rendered as such, from March 1, 1897, to December 31, 1897, both dates inclusive, and for services rendered as janitor of the Municipal Court of the city of New York, borough of Brooklyn, first district, from January 1, 1898, to August 12, 1903, both dates inclusive, and authorizing payment of the same."

Also, Senate bill (No. 446, Int. No. 208) entitled "An act in relation to the use and occupancy of the Hall of Records in the county of New York."

Also, Senate bill (No. 1153, Int. No. 524) entitled "An act to authorize the board of estimate and apportionment of the city of New York to cancel certain assessments affecting property in the borough of Brooklyn, city of New York, levied against said property for the opening of Freeman street from Provost street to Whale creek in the borough of Brooklyn, city of New York."

Also, Senate bill (No. 1154, Int. No. 550) entitled "An act in relation to the Court of General Sessions of the county of New York."

Also, Senate bill (No. 659, Int. No. 570) entitled "An act to amend the Greater New York charter, relative to the art commission."

Also, Senate bill (No. 837, Int. No. 701) entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction."

Also, Senate bill (No. 802, Int. No. 674) entitled "An act to reappropriate money for the erection of a new armory building in the city of Oswego, as provided for by chapter 742 of the Laws of 1905."

Also, Senate bill (No. 915, Int. No. 756) entitled "An act to reappropriate money for the erection of a State armory and stable in the city of Syracuse, as provided for by chapter 743 of the Laws of 1905."

Also, Senate bill (No. 1063, Int. No. 847) entitled "An act to provide for the selection of a site for a State hospital for the

| | | | | |
|-----------|----------|--------|------------|--------|
| Carpenter | Faneber | Hill | Page | Wemple |
| Cassidy | Foelker | Hinman | Raines | White |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the amendments of the Assembly thereto.

A message from the Assembly was received, in the words following:

IN ASSEMBLY, *April 9, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly, the mayor of the city of New York returned the Assembly bill (No. 961, reprint No. 2006, Rec. No. 161), entitled "An act to amend the Greater New York charter, in relation to the disposition of horses used in the fire, police and street cleaning departments."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Robinson, said bill was recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

On page 2, lines 3-18, inclusive, strike out all the new matter and insert instead the following: "Whenever any horses used in the fire department, the police department of the street cleaning department, shall have become unfit for use therein, the commissioner of either of such departments, instead of causing such horses to be sold at auction, as provided by section fifteen hundred and fifty-three, may transfer such horses to the custody of the American society for the prevention of cruelty to animals, providing such society is willing to accept the custody thereof to be disposed of in such manner as the said society may deem best. If, however, any horse so received into the custody of said society and formerly used in the fire department or the police department shall thereafter be sold by said society, or any profit be derived from its use, the proceeds from such sale or use shall be paid over by said society to the fire commissioner or to the police commissioner, for the benefit of the pension fund of their respective departments; and if any horse formerly used in the department of street cleaning shall be sold or used by said society, the proceeds of such sale or use, shall be the property of the city of New York, and shall be paid over by said society to the chamberlain of the city."

Said bill, as amended, was read the third time and passed, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

By order,

A. E. BAXTER,

Clerk.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Miller (No. 1588, Rec. No. 312), entitled "An act to amend chapter 139 of the Laws of 1882, entitled 'An act to incorporate the Charity Organization Society of the City of New York,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Burr, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Goldberg (No. 1339, Rec. No. 304), entitled "An act to amend the Domestic Relations Law, in relation to marriage by written agreement," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cassidy, from the committee on public health, to which was referred the Assembly bill introduced by committee on public health (No. 2096, Rec. No. 518) entitled "An act to regulate the practice of medicine, and to repeal article 8 of chapter 661 of the Laws of 1893, and acts amendatory thereof," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Agnew (No. 1133, Int. No. 815), entitled "An act to amend subdivision 6 of section 639 of the Penal Code, relative to guide posts and signs erected upon a highway," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Stern (No. 154, Rec. No. 196), entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to actions by wage earners," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Also, Senate bill (No. 1142, Int. No. 566) entitled "An act to amend the Penal Code, relative to the punishment of the crime of extortion in certain cases."

Also, Senate bill (No. 1143, Int. No. 723) entitled "An act to amend section 750 of the Code of Criminal Procedure of the State of New York, in relation to appeals."

Also, Senate bill (No. 1140, Int. No. 792) entitled "An act to amend section 201 of the Insurance Law, in relation to the designation of beneficiaries."

Also, Senate bill (No. 1161, Int. No. 183) entitled "An act making an appropriation for electrical installation at the State reservation at Niagara."

Also, Senate bill (No. 1163, Int. No. 817) entitled "An act to amend section 436 of chapter 466 of the Laws of 1901, known as the charter of the city of New York, granting power to the board of estimate and apportionment to reconsider and redetermine the expenses to be paid by the city of New York and property owners thereof, where the cost and expense of an improvement has been assessed by said board of estimate and apportionment."

Also, Senate bill (No. 1134, Int. No. 445) entitled "An act to amend chapter 706 of the Laws of 1901, relative to additional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation thereof."

Also, the Senate bill (No. 1073, Int. No. 725) entitled "An act to amend sections 3, 4, 8 and 10 of chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the First Department,' as amended by chapter 572 of the Laws of 1898, chapter 490 of the Laws of 1900, and chapter 643 of the Laws of 1906, and to repeal chapter 519 of the Laws of 1904."

Also, Senate bill (No. 945, Int. No. 771) entitled "An act to amend the Insurance Law, relative to the insurance of automobiles."

Also, Senate bill (No. 1149, Int. No. 27) entitled "An act to amend the Greater New York charter by providing for additional city magistrates, and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates' courts, in the second division of the city of New York."

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Baldwin (No. 842, Rec. No. 108), entitled "An act to provide for the construction of intercepting sewers in and for the city of Syracuse," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. White, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 1635, Rec. No. 394), entitled "An act in relation to the County Court of Kings county and the appointment of a chief clerk and deputies and assistants therein," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Harte (No. 940, Int. No. 590), entitled "An act to empower the commissioners of estimate and appraisal to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newton, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Harte, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Dominy (No. 1563, Rec. No. 342), entitled "An act relating to the public printing of Clinton county," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Knapp, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hinman (No. 635, Int. No. 517), entitled "An act to revise the charter of the city of Binghamton," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Davis (No. 1088, Int. No. 866), entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the police pension fund of the city of Buffalo," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No. 1100, Int. No. 869), entitled "An act to amend section 2 of title 1 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,'" reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Franchot (No. 1083, Int. No. 861), entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,'" reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. De Groot (No. 1374, Rec. No. 210), entitled "An act to amend the Code of Civil Procedure, relating to drawing of trial jurors in the county of

Queens," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Harte, and by unanimous consent, said bill was substituted for Senate bill (No. 323, Int. No. 294), now on the order of third reading.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Goldberg (No. 724, Rec. No. 78), entitled "An act to amend the Code of Civil Procedure, in relation to maintaining an action upon an undertaking given upon appeal," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to repeal section thirteen hundred and nine of the Code of Civil Procedure, in relation to an undertaking given upon appeal," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Armstrong (No. 997, Int. No. 811), entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' generally," reported the same to the Senate with amendments.

On motion of Mr. Tully, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on internal affairs of towns and counties.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Armstrong (No. 996, Int. No. 810), entitled "An act to amend chapter 469 of the Laws of 1906, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making an appropriation therefor,' generally," reported the same to the Senate with amendments.

On motion of Mr. Tully, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on internal affairs of towns and counties.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No. 1080, Int. No. 858), entitled "An act to amend chapter 531 of

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Burr (No. 1041, Int. No. 826), entitled "An act to repeal chapter 133 of the Laws of 1902, entitled 'An act to provide for the election and to prescribe the terms and compensation of the town trustees of the town of Southampton, in the county of Suffolk, and legalizing payment of compensation to the present and former trustees,'" reported in favor of the passage of the same with amendments, the title being amend to read as follows: "An act to repeal chapter 133 of the Laws of 1902, entitled 'An act to provide for the election and to prescribe the terms and compensation of the town trustees of the town of Southampton, in the county of Suffolk, and legalizing payment of compensation to the present and former trustees,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Alfred E. Smith (No. 1534, Rec. No. 390), entitled "An act to amend the Penal Code, in relation to the sale of certain drugs," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. De Groot (No. 1373, Rec. No. 211), entitled "An act to amend the Code of Civil Procedure, in relation to the qualifications of trial jurors in Queens county," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Harte, and by unanimous consent, said bill was substituted for Senate bill (No. 322, Int. No. 293), now on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. A. E. Smith (No. 328, Rec. No. 120), entitled "An act for the relief of Eugene Lentilhon, in payment for work done for and material furnished to the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Baldwin (No. 842, Rec. No. 108), entitled "An act to provide for the construction of intercepting sewers in and for the city of Syracuse," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. White, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 1635, Rec. No. 394), entitled "An act in relation to the County Court of Kings county and the appointment of a chief clerk and deputies and assistants therein," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Harte (No. 940, Int. No. 590), entitled "An act to empower the commissioners of estimate and appraisal to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newton, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Harte, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Dominy (No. 1563, Rec. No. 342), entitled "An act relating to the public printing of Clinton county," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Knapp, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

On motion of Mr. Allds, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on taxation and retrenchment.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 1234, Rec. No. 284), entitled "An act to amend chapter 20 of the Laws of 1857, entitled 'An act to sell the burial ground at the Wallabout, in the city of Brooklyn, and to provide places of burial,' in relation to sales of places so provided," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Page, from the committee on public education, to which was referred the Senate bill introduced by Mr. Page (No. 904, Int. No. 259), entitled "An act to amend the Consolidated School Law, by abolishing the office of school commissioner, creating the office of district superintendent of schools and prescribing the powers, duties and responsibilities of such superintendent," reported the same to the Senate with amendments.

On motion of Mr. Page, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on public education.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Foelker (No. 283, Int. No. 270), entitled "An act to amend the General City Law, in relation to plumbers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCall (No. 554, Int. No. 480), entitled "An act to amend the Greater New York charter, relative to the New York fire department relief fund and pensions," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McCall, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fuller (No. 665,

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Young (No. 772, Rec. No. 82), entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the salaries of the record clerks and court attendants of the Court of General Sessions of the Peace in and for the county of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Page (No. 736, Int. No. 620), entitled "An act to authorize the extension of Riverside park in the city of New York by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the City of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fuller (No. 692, Int. No. 23), entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by the committee on taxation and retrenchment (No. 925, Int. No. 766), entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages," reported the same to the Senate with amendments.

On motion of Mr. Allds, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on taxation and retrenchment.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 1234, Rec. No. 284), entitled "An act to amend chapter 20 of the Laws of 1857, entitled 'An act to sell the burial ground at the Wallabout, in the city of Brooklyn, and to provide places of burial,' in relation to sales of places so provided," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Page, from the committee on public education, to which was referred the Senate bill introduced by Mr. Page (No. 904, Int. No. 259), entitled "An act to amend the Consolidated School Law, by abolishing the office of school commissioner, creating the office of district superintendent of schools and prescribing the powers, duties and responsibilities of such superintendent," reported the same to the Senate with amendments.

On motion of Mr. Page, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on public education.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Foelker (No. 283, Int. No. 270), entitled "An act to amend the General City Law, in relation to plumbers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCall (No. 554, Int. No. 480), entitled "An act to amend the Greater New York charter, relative to the New York fire department relief fund and pensions," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McCall, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fuller (No. 665,

Int. No. 573), entitled "An act to amend section 391 of the Greater New York charter, in relation to the employment and payment of inspectors of removals of pavements or disturbances of surface of streets," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place in the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McManus (No. 957, Int. No. 784), entitled "An act authorizing the municipal civil service commissioners of the city of New York to place on the eligible list of January 12, 1907, applicants for the police department of the city of New York, who have become 30 years of age after the examination held on September 12, 1906," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McManus, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCarren (No. 778, Int. No. 662), entitled "An act to amend section 33 of chapter 724 of the Laws of 1905 in regard to an additional supply of pure and wholesome water for the city of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Franchot (No. 1082, Int. No. 860), entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls, so as to provide for a grade crossing commission, and defining the powers and duties thereof,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Franchot (No.

On motion of Mr. Allds. and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on taxation and retrenchment.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 1234, Rec. No. 284), entitled "An act to amend chapter 20 of the Laws of 1857, entitled 'An act to sell the burial ground at the Wallabout, in the city of Brooklyn, and to provide places of burial,' in relation to sales of places so provided," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Page, from the committee on public education, to which was referred the Senate bill introduced by Mr. Page (No. 904, Int. No. 259), entitled "An act to amend the Consolidated School Law, by abolishing the office of school commissioner, creating the office of district superintendent of schools and prescribing the powers, duties and responsibilities of such superintendent," reported the same to the Senate with amendments.

On motion of Mr. Page, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on public education.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Foelker (No. 283, Int. No. 270), entitled "An act to amend the General City Law, in relation to plumbers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McCall (No. 554, Int. No. 480), entitled "An act to amend the Greater New York charter, relative to the New York fire department relief fund and pensions," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McCall, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fuller (No. 665,

ported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No. 947, Int. No. 774), entitled "An act to provide for the election of a president of the common council of the city of Mount Vernon, defining his duties and fixing his salary," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Stanley (No. 89, Rec. No. 195), entitled "An act authorizing the police commissioner of the city of New York to appoint John W. Pinkley, an ex-policeman of the city of New York, who resigned from said police department, November 24, 1897," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Gluck (No. 1322, Rec. No. 249), entitled "An act regulating and restraining the practice of midwifery in the city of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hasenflug, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Wells (No. 919, Rec. No. 104), entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against William H. Weise, fireman of the first grade, for reinstatement in said department," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Agnew, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Lee (No. 1338,

1087, Int. No. 865), entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McManus (No. 1130, Int. No. 893), entitled "An act to amend the Greater New York charter, relative to the department of health pension fund," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McManus, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Davis (No. 1104, Int. No. 873), entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No. 948, Int. No. 775), entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of a deputy commissioner of public works," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grattan (No. 949, Int. No. 776), entitled "An act to authorize the city of Cohoes to borrow money therefor and to construct a bridge over the first branch of the Mohawk river, at Ontario street in said city," re-

agreed to, and said bill restored to its place in the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Lansing (No. 1073, Rec. No. 353), entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' relative to criminal expenses chargeable to the county of Rensselaer," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Lansing (No. 1722, Rec. No. 386), entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' in relation to payment of the salaries of policemen and meetings of police commissioners," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Patton (No. 1793, Rec. No. 423), entitled "An act to amend chapter 357 of the Laws of 1905, entitled 'An act to revise the several acts relative to the city of Tonawanda,' generally," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Conklin (No. 1285, Rec. No. 453), entitled "An act to amend the Greater New York charter, in relation to the powers of the borough presidents and of the president of the board of aldermen," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Hamn (No. 1520, Rec. No. 295), entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' in relation to salaries of city officials, duties of city

clerk and city judge, and jurisdiction of city court," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Duell (No. 1736, Rec. No. 432), entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. F. G. Whitney (No. 2003, Rec. No. 483), entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' generally," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1014, Rec. No. 184), entitled "An act to amend the title to chapter 664 of the Laws of 1906, entitled 'An act to amend chapter 685 of the Laws of 1895, entitled "An act to revise the charter of the city of Yonkers" and the acts amendatory thereof, relative to the removal of members of the uniformed police and fire departments,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Maher (No. 1519, Rec. No. 355), entitled "An act to amend chapter 554 of the Laws of 1899, entitled 'An act to establish a police pension fund for the city of Albany,' relative to excise money," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Girault, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Stratton (No. 1486, Rec. No. 397), entitled "An act to amend chapter 24 of the Laws of 1895, entitled 'An act for the appointment of a clerk for grand juries of Chenango county,' in relation to providing a stenographer in proceedings before juries in Chenango county," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Heacock (No. 860, Int. No. 718), entitled "An act to authorize the town of Frankfort, in Herkimer county, to regulate and control the flow of water in Moyer creek," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Heacock, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Carpenter (No. 703, Int. No. 593), entitled "An act to amend chapter 584 of the Laws of 1901, entitled 'An act to fix and establish the annual salary of the county of judge of Westchester county, and repealing section 222 of chapter 686 of the Laws of 1892, so far as it relates to Westchester county,' in relation to the amount of such salary," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to amend chapter five hundred and eighty-four of the laws of nineteen hundred and one, entitled 'An act to fix and establish the annual salary of the county judge of Westchester county, and repealing section two hundred and twenty-two of chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-two, so far as it relates to Westchester county,' in relation to the amount of such salary," which report was agreed to.

clerk and city judge, and jurisdiction of city court," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Duell (No. 1736, Rec. No. 432), entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. F. G. Whitney (No. 2003, Rec. No. 483), entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' generally," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1014, Rec. No. 184), entitled "An act to amend the title to chapter 664 of the Laws of 1906, entitled 'An act to amend chapter 685 of the Laws of 1895, entitled "An act to revise the charter of the city of Yonkers" and the acts amendatory thereof, relative to the removal of members of the uniformed police and fire departments,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Maher (No. 1519, Rec. No. 355), entitled "An act to amend chapter 554 of the Laws of 1899, entitled 'An act to establish a police pension fund for the city of Albany,' relative to excise money," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Stratton (No. 1486, Rec. No. 397), entitled "An act to amend chapter 24 of the Laws of 1895, entitled 'An act for the appointment of a clerk for grand juries of Chenango county,' in relation to providing a stenographer in proceedings before juries in Chenango county," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Heacock (No. 860, Int. No. 718), entitled "An act to authorize the town of Frankfort, in Herkimer county, to regulate and control the flow of water in Moyer creek," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Heacock, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Carpenter (No. 703, Int. No. 593), entitled "An act to amend chapter 584 of the Laws of 1901, entitled 'An act to fix and establish the annual salary of the county of judge of Westchester county, and repealing section 222 of chapter 686 of the Laws of 1892, so far as it relates to Westchester county,' in relation to the amount of such salary," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to amend chapter five hundred and eighty-four of the laws of nineteen hundred and one, entitled 'An act to fix and establish the annual salary of the county judge of Westchester county, and repealing section two hundred and twenty-two of chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-two, so far as it relates to Westchester county,' in relation to the amount of such salary," which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Taylor (No. 1060, Int. No. 844), entitled "An act to amend chapter 44 of the Laws of 1853, entitled 'An act for the better support of the poor, in the town of Newburgh, in the county of Orange,' in relation to the time of reports and estimates of the commissioners of the almshouse," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Allen (No. 1655, Rec. No. 392), entitled "An act authorizing a referendum to the resident taxpayers of Chautauqua county on certain classes of appropriations by the board of supervisors," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. G. W. Murphy (No. 1283, Rec. No. 359), entitled "An act for the relief of the town of Forestburgh, in the county of Sullivan," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Lupton (No. 1262, Rec. No. 235), entitled "An act to authorize the formation of a park district in the town of Southold, Suffolk county, to acquire lands for park purposes, and to issue bonds therefor," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Burr, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. M. Smith (No. 493, Rec. No. 259), entitled "An act to amend chapter 451 of the Laws of 1900, entitled 'An act authorizing the establishment of water districts in towns,' in relation to the procedure for creating such districts," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Merritt (No. 838, Rec. No. 356), entitled "An act to amend the Highway Law, in relation to the qualified abandonment of highways," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Averill (No. 618, Rec. No. 60), entitled "An act to amend the Code of Civil Procedure, relative to the clerk and deputy clerk of a surrogate's court," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Gates, from the committee on banks, to which was referred the Senate bill introduced by Mr. Emerson (No. 869, Int. No. 727), entitled "An act to amend the Banking Law, in relation to the lawful money reserve of banks," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Apgar (No. 1914, Rec. No. 427), entitled "An act to amend chapter 232 of the Laws of 1904, entitled 'An act relating to commissioners of jurors for each county of the State having a certain population and regulating and prescribing his duties and also providing in what manner juries shall be made up and jurors drawn in courts of record in such counties; how they may be exempted or excused and the length of service of such jurors,' rela-

tive to compensation of assessors," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Dowling (No. 1496, Rec. No. 328), entitled "An act to equalize the salaries of the court officers and messengers of the Kings County Surrogate's Court with the court attendants of the County Court of Kings county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Patton (No. 1076, Rec. No. 449), entitled "An act to validate the acts of the duly qualified electors, the property owners and the trustees of the village of Kenmore with reference to the extension of the village limits, and in making the annual assessment roll for the year 1906," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Agnew (No. 699, Int. No. 38), entitled "An act to amend the Labor Law, and repeal chapter 9 of the Laws of 1901, relative to the organization of the Department of Labor," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Travis (No. 1040, Int. No. 839), entitled "An act to change the name of the 'Bushwick Avenue Methodist Episcopal Church' to the 'Bushwick Avenue-Central Methodist Episcopal Church,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hooker (No. 952, Int.

No. 779), entitled "An act to amend the Real Property Law, relative to furnishing certificate of recording discharge of mortgage by recording officer," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hooker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hooker (No. 1062, Int. No. 846), entitled "An act to legalize and confirm certain proceedings of the biennial town meeting of the town of Lima, in the county of Livingston, held on the 12th day of March, 1907," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hooker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hill (No. 1065, Int. No. 849), entitled "An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the city of Buffalo, county of Erie and State of New York, acquired by escheat or otherwise upon the death of Hyronimus Wagner," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Wells (No. 791, Rec. No. 368), entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners, and to define the powers of the consolidated corporation," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Robinson (No. 1732, Rec. No. 409), entitled "An act to amend chapter 350 of the Laws of 1866, entitled 'An act to incorporate the Young

Men's Christian Association of the city of New York,' in relation to the amount of property to be held by such association," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Robinson (No. 1733, Rec. No. 408), entitled "An act to amend chapter 241 of the Laws of 1883, entitled 'An act to incorporate the international committee of Young Men's Christian associations,' in relation to amount of property to be held by such committee," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Francis (No. 384, Rec. No. 347), entitled "An act to amend the Real Property Law, relative to discharge of mortgages in counties embraced in cities of the first class," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 1355, Rec. No. 323), entitled "An act to amend chapter 144 of the Laws of 1869, entitled 'An act to incorporate the Baptist Home of Brooklyn, New York,' in relation to the powers of such corporation in respect to property and income," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. F. G. Whitney (No. 982, Rec. No. 225), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such railroads within such bonded towns, villages or cities," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. G. H. Whitney (No. 1214, Rec. No. 264), entitled "An act to legalize the bonds of union free school district No. 7, of the town of Corinth, Saratoga county, N. Y., in the amount of \$20,000, sold for the purpose of defraying the expense of building two new school-houses in said district, and to provide for the payment of said bonds," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Wells (No. 956, Rec. No. 162), entitled "An act to amend the Membership Corporations Law, in relation to the election of managers and trustees," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Harris (No. 1677, Rec. No. 375), entitled "An act to legalize the meeting of Webster Rural Cemetery Association, of Webster, Monroe county, New York, held on the 5th day of February, 1907, and the election of directors thereat, as well as the acts of said directors thereunder," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Dunn, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Whitley (No. 1510, Rec. No. 325), entitled "An act to amend chapter 205 of the Laws of 1863, entitled 'An act to incorporate the Saint Joseph's German Roman Catholic Orphan Asylum Society of Rochester, Monroe county,' in relation to officers, trustees and members of Saint Joseph's Asylum Society of Rochester and Monroe county," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Dunn, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Mead (No. 1593, Rec. No. 311), entitled "An act to amend chapter 261 of the Laws of 1900, entitled 'An act to amend chapter 341 of the Laws of 1872, entitled "An act in reference to the Young Men's Association for Mutual Improvement in the city of Albany," relative to the board of trustees, vacancies therein, et cetera,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Gray (No. 1050, Rec. No. 305), entitled "An act to amend the Election Law, in relation to changing election districts in certain towns," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. O'Neil, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Mead (No. 872, Rec. No. 188), entitled "An act to authorize any trial justice of the Supreme Court in the third judicial district to examine and certify the claim of James M. Ruso for furnishing a transcript of the stenographic minutes of the trial of the People of the State of New York against Richard E. Preusser to the presiding justice, on his request, in March, 1905," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Cuvillier (No. 601, Rec. No. 269), entitled "An act to enable the trustees of the University of Pennsylvania, a corporation existing under the Laws of the State of Pennsylvania, to hold and convey real estate in this State," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cohalan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Mead (No. 1225, Rec. No. 206), entitled "An act to amend the Executive Law, in relation to the fees of the Secretary of State," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Fuller (No. 1077, Int. No. 710), entitled "An act to amend the Legislative Law, relative to compensation to members of the Legislature, for services in matters to which the State is a party," reported the same to the Senate with amendments.

On motion of Mr. Davis, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on the judiciary.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hill (No. 1148, Int. No. 534), entitled "An act authorizing the Commissioners of the Land Office to make a grant or grants of lands under the waters of Niagara river to the city of Buffalo, for a pumping station site and for other municipal purposes, for a nominal consideration, and abandoning certain lands within the blue line of the Erie canal," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hill (No. 774, Int. No. 658), entitled "An act to amend the Insanity Law, relative to trust funds for the maintenance of insane persons in State hospitals," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Franchot (No. 763, Int. No. 639), entitled "An act to provide for the appointment of policemen for the Niagara, Lockport and Ontario Power Company," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Cobb (No. 445, Int. No. 121), entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grattan (No. 908, Int. No. 375), entitled "An act to amend the Labor Law, relative to hours of labor on street surface and elevated railroads," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hinman (No. 708, Int. No. 598), entitled "An act to repeal chapter 231 of the Laws of 1893, entitled 'An act to legalize the agreement between the Binghamton and Port Dickinson Railroad Company, the Binghamton Street Railroad Company and the city of Binghamton, New York,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hinman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. O'Brian (No. 1639, Rec. No. 360), entitled "An act to amend chapter 552 of the Laws of 1875, entitled 'An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie,' relative to commitments to the Salvation Army Rescue

Home," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Hubbs (No. 1425, Rec. No. 352), entitled "An act to fix the salary of a district attorney of Suffolk county, hereafter elected," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. O'Neil (No. 305, Int. No. 282), entitled "An act to amend chapter 127 of the Laws of 1866, entitled 'An act relative to the collection of taxes in the town of Oswegatchie, in the county of Saint Lawrence,' in relation to the manner of collecting such taxes," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on order of third reading.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Phillips (No. 1533, Rec. No. 377), entitled "An act to amend the Penal Code, relative to expenditures at elections," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Sheridan (No. 1591, Rec. No. 316), entitled "An act to amend the Code of Civil Procedure, relative to the records of the weather taken at the arsenal, Central Park, New York city, by the meteorological and astronomical observatory, being presumptive evidence," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on public education, to which was referred the Senate bill introduced by Mr. Page (No. 794, Int. No. 666), entitled "An act to amend the University Law, relative to libraries," reported in favor of the passage of the

same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on public education, to which was referred the Senate bill, introduced by Mr. Burr (No. 955, Int. No. 782), entitled "An act to amend the Consolidated School Law, in relation to the payment by the county of school taxes returned as unpaid in the county of Suffolk," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Burr, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Page, from the committee on public education, to which was referred the Assembly bill introduced by Mr. Miller (No. 902, Rec. No. 189), entitled "An act to enable the school commissioner of Nassau county to consolidate Union Free School Districts Nos. 4 and 5 of the town of North Hempstead, Nassau county," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Burr, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cassidy, from the committee on public health, to which was referred the Assembly bill introduced by Mr. G. H. Whitney (No. 1332, Rec. No. 226), entitled "An act to amend chapter 348 of the Laws of 1901, entitled 'An act to provide for sewer systems outside incorporated villages or cities,' in relation to additional amount to be expended," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Marlatt (No. 1999, Rec. No. 467), entitled "An act to amend chapter 288 of the Laws of 1906, entitled 'An act to revise the charter of the city of Hornellsville, and to change the name thereof,' generally," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Tully, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Leave of absence was granted to Messrs. Gilchrist and Thompson for to-day's session, and to Mr. Travis until Monday.

The Assembly bill (No. 1756, Senate reprint No. 1146, Rec. No. 412) entitled "An act to amend the Insurance Law, relative to investments and loans by surety company," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|------------|
| Ackroyd | Cassidy | Fancher | Hill | Raines |
| Agnew | Cobb | Franchot | McCall | Ramsperger |
| Allds | Cordts | Gates | McCarren | Saxe |
| Armstrong | Cullen | Grattan | O'Neil | Sullivan |
| Boyce | Davis | Hasenflug | Owens | Tully |
| Burr | Dunn | Heacock | Page | Wilcox |
| Carpenter | Emerson | | | |

32

FOR THE NEGATIVE.

| | | | | |
|----------|--------|--------|----------|--------|
| Cohlalan | Fuller | Hooker | McManus | Smith |
| Foelker | Hinman | Knapp | Mullaney | Taylor |
| Frawley | | | | |

11

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1140, Int. No. 792) entitled "An act to amend section 201 of the Insurance Law in relation to the designation of beneficiaries," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|---------|----------|----------|
| Ackroyd | Cordts | Fuller | McCall | Saxe |
| Agnew | Cullen | Gates | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |

| | | | | |
|-----------|----------|----------|------------|--------|
| Boyce | Emerson | Hasenfug | O'Neil | Taylor |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | | | | |

46

FOR THE NEGATIVE.

Hinman

1

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1143, Int. No. 723) entitled "An act to amend section 750 of the Code of Criminal Procedure of the State of New York, in relation to appeals," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenfug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1141, Int. No. 565) entitled "An act to amend the Penal Code, relative to the punishment for the crime of blackmail," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cordts | Fuller | Knapp | Ramsperger |
| Agnew | Cullen | Gates | McCall | Saxe |
| Allds | Davis | Grattan | McCarren | Smith |
| Armstrong | Dunn | Harte | McManus | Sohmer |
| Boyce | Emerson | Hasenflug | Mullaney | Sullivan |
| Burr | Fancher | Heacock | O'Neil | Taylor |
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Raines | Wilcox |
| Cohalan | | | | |

46

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 592, Int. No. 511) entitled "An act to amend section 384-h of the Penal Code, relative to hours of labor to be required of employees of a corporation operating a line of railroad thirty miles in length, or over," having been announced for third reading, Mr. Hinman moved that said bill be recommended to the committee on codes, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 4, and page 2, line 3, strike out the words "or permit".

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-------|---------|--------|--------|----------|----|
| Allds | Cassidy | Gates | McCall | Sullivan | |
| Boyce | Cobb | Hinman | Owens | Wilcox | 10 |

FOR THE NEGATIVE.

| | | | | | |
|-----------|-----------|----------|------------|--------|----|
| Agnew | Foelker | Heacock | O'Neil | Smith | |
| Carpenter | Franchot | Hill | Page | Sohmer | |
| Cohalan | Frawley | Hooker | Raines | Taylor | |
| Cullen | Fuller | Knapp | Ramsperger | Tully | |
| Davis | Harte | McCarren | Saxe | Wemple | |
| Dunn | Hasenflug | Mullaney | | | 28 |

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Dunn | Hasenflug | McManus | Smith |
| Boyce | Emerson | Heacock | Mullaney | Sohmer |
| Carpenter | Foelker | Hill | O'Neil | Sullivan |
| Cassidy | Franchot | Hinman | Page | Taylor |
| Cohalan | Frawley | Hooker | Raines | Tully |
| Cordts | Fuller | Knapp | Ramsperger | Wemple |
| Cullen | Gates | McCall | Saxe | Wilcox |
| Davis | Harte | McCarren | | |

38

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 982, Int. No. 162) entitled "An act to aid in the erection of a memorial to the late Andrew H. Green in the city of New York, and making an appropriation therefor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Knapp | Ramsperger |
| Agnew | Cordts | Fuller | McCall | Saxe |
| Allds | Cullen | Gates | McCarren | Smith |
| Armstrong | Davis | Grattan | McManus | Sohmer |
| Boyce | Dunn | Harte | Mullaney | Sullivan |
| Burr | Emerson | Hasenflug | O'Neil | Taylor |
| Carpenter | Fancher | Heacock | Owens | Tully |
| Cassidy | Foelker | Hill | Page | Wemple |
| Cobb | Franchot | Hooker | Raines | Wilcox |

45

FOR THE NEGATIVE.

Hinman

1

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1142, Int. No. 566) entitled "An act to amend the Penal Code, relative to the punishment for the crime of extortion in certain cases," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1161, Int. No. 183) entitled "An act making an appropriation for electrical installation at the State Reservation at Niagara," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1368, Senate reprint No. 1165, Rec. No. 290) entitled "An act to amend the Public Health Law, relative to the term of office of local health officers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 1373, Rec. No. 211) entitled "An act to amend the Code of Civil Procedure, in relation to the qualifications of trial jurors in Queens county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1374, Rec. No. 210) entitled "An act to amend the Code of Civil Procedure, relative to drawing of trial jurors in the county of Queens," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1051, Senate reprint No. 1147, Rec. No. 155) entitled "An act to amend the Code of Civil Procedure, relating to notices of trial and notes of issue," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 446, Int. No. 208) entitled "An act in relation to the use and occupancy of the Hall of Records, in the county of New York," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1153, Int. No. 524) entitled "An act to authorize the board of estimate and apportionment of the city of New York to cancel certain assessments affecting property in the borough of Brooklyn, city of New York, levied against said property for the opening of Freeman street from Provost street to Whale creek, in the borough of Brooklyn, city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1150, Int. No. 145) entitled "An act authorizing the board of estimate and apportionment of the city of New York to inquire into the alleged claim of George R. Dubois, a janitor in the Justices Court of the former city of Brooklyn, First District, for services rendered as such, from March 1, 1897, to December 31, 1897, both dates inclusive, and for services rendered as janitor of the Municipal Court of the city of New York, borough of Brooklyn, First District, from January 1, 1898, to August 12, 1903, both dates inclusive, and authorizing payment of the same," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

4.

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 659, Int. No. 570) entitled "An act to amend the Greater New York charter, relative to the art commission," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |

| | | | | |
|-----------|----------|---------|------------|--------|
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 802, Int. No. 674) entitled "An act to reappropriate money for the erection of a new armory building in the city of Oswego, as provided for by chapter 742 of the Laws of 1905," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 915, Int. No. 756) entitled "An act to reappropriate money for the erection of a State armory and stable in the city of Syracuse, as provided for by chapter 743 of the Laws of 1905," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 837, Int. No. 701) entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1995, Rec. No. 463) entitled "An act to amend chapter 371 of the Laws of 1903, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to City Court constables," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1640, Rec. No. 345) entitled "An act to amend the Forest, Fish and Game Law, in relation to the sale of trout, in Albany, Columbia, Saratoga, Schenectady, Livingston, Franklin, Saint Lawrence and Otsego counties," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1149, Int. No. 27) entitled "An act to amend the Greater New York charter by providing for additional city magistrates, and for additional police clerks, assistant

clerks, stenographers and interpreters for city magistrates courts, in the second division of the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 945, Int. No. 771) entitled "An act to amend the Insurance Law, relative to the insurance of automobiles," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1273, Senate reprint No. 1167, Rec. No. 243) entitled "An act to provide for a commission to investigate the condition of the National Guard of the State of New York," having been announced for third reading, Mr. Taylor moved that said bill be recommitted to the committee on finance, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 10, strike out the word "temporary".

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|---------|-----------|----------|------------|----------|
| Ackroyd | Frawley | McCall | Mullaney | Sohmer |
| Boyce | Harte | McCarren | Owens | Sullivan |
| Cohalan | Hasenflug | McManus | Ramsperger | Taylor |
| Cullen | | | | |

16

FOR THE NEGATIVE.

| | | | | |
|-----------|---------|----------|--------|--------|
| Agnew | Cobb | Foelker | Hinman | Saxe |
| Allds | Cordts | Franchot | Hooker | Smith |
| Armstrong | Davis | Gates | Knapp | Tully |
| Burr | Dunn | Grattan | O'Neil | White |
| Carpenter | Emerson | Heacock | Page | Wilcox |
| Cassidy | Fancher | Hill | | |

28

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1134, Int. No. 445) entitled "An act to amend chapter 706 of the Laws of 1901, relative to additional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Frawley | McCall | Saxe |
| Agnew | Cordts | Gates | McCarren | Smith |
| Allds | Cullen | Grattan | McManus | Sohmer |
| Armstrong | Davis | Harte | Mullaney | Sullivan |
| Boyce | Dunn | Hasenflug | O'Neil | Taylor |
| Burr | Emerson | Heacock | Owens | Tully |
| Carpenter | Fancher | Hill | Page | Wemple |
| Cassidy | Foelker | Hooker | Raines | White |
| Cobb | Franchot | Knapp | Ramsperger | Wilcox |

45

FOR THE NEGATIVE.

Fuller Hinman

2

Mr. Foelker moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|----------|--------|--------|
| Agnew | Cobb | Franchot | Hinman | Raines |
| Allds | Cordts | Fuller | Hooker | Saxe |
| Armstrong | Davis | Gates | Knapp | Smith |
| Burr | Dunn | Grattan | O'Neil | Tully |
| Carpenter | Fancher | Heacock | Page | Wilcox |
| Cassidy | Foelker | Hill | | |

28

FOR THE NEGATIVE.

| | | | | |
|---------|-----------|----------|------------|----------|
| Ackroyd | Frawley | McCall | Mullaney | Sohmer |
| Boyce | Harte | McCarren | Owens | Sullivan |
| Cullen | Hasenflug | McManus | Ramsperger | Taylor |

15

Mr. Foelker then moved to recommit said bill to the committee on affairs of cities for a hearing, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill (No. 1271, Senate reprint No. 1144, Rec. No. 237) entitled "An act to amend the Railroad Law, in relation to the collection of fare on certain electric surface railroads," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Felker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1073, Int. No. 725) entitled "An act to amend sections 3, 4, 8 and 10 of chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the First Department,' as amended by chapter 572 of the Laws of 1898, chapter 490 of the Laws of 1900, and chapter 643 of the Laws of 1906, and to repeal chapter 519 of the Laws of 1904," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1163, Int. No. 817) entitled "An act to amend section 436 of chapter 466 of the Laws of 1901, known as the charter of the city of New York, granting power to the board of estimate and apportionment to reconsider and redetermine the expenses to be paid by the city of New York and property owners thereof, where the cost and expense of an improvement has been assessed by said board of estimate and apportionment," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence herein.

The Assembly bill (No. 735, Senate reprint No. 1164, Rec. No. 207) entitled "An act to amend chapter 705 of the Laws of 1905, entitled 'An act to provide for annual reports by and

the examination of accounts of counties, cities of the second and third classes and villages having a population of 3,000 or more, the tabulation of comparative statistics as to the cost of maintaining the various branches of government in such municipalities and making an appropriation therefor,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | McCall | Saxe |
| Agnew | Cullen | Gates | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cohalan | Frawley | Knapp | Ramsperger | Wilcox |

45

FOR THE NEGATIVE.

Cobb Hinman

2

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1119, Int. No. 882) entitled "An act to amend chapter 371 of the Laws of 1893, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village and to repeal certain acts and parts of acts,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1221, Rec. No. 254), entitled "An act to provide for supplying the village of McGrawville with water, to authorize said village to incur indebtedness therefor and to create a board of water commissioners for said village," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1957, Rec. No. 440) entitled "An act approving a final order made on the 15th day of March in the year 1907, by the State Water Supply Commission, pursuant to chapter 734 of the Laws of 1904, as amended by chapter 418 of the Laws of 1906, for the improvement and regulation of the flow of Canaseraga creek, in the towns of North Dansville,

Sparta, West Sparta, Groveland and Mount Morris, in the county of Livingston, and authorizing the work of such improvement," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1063, Int. No. 847) entitled "An act to provide for the selection of a site for a State hospital for the insane in the southeastern part of the State, in the vicinity of the city of New York, and for securing contracts for the sale to the State of the lands so selected," having been announced for third reading, Mr. Hinman moved that said bill be recommitted to the committee on finance, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 2, strike out the words "at some".

Same page, strike out all of the lines 3 and 4, and to and including the word "both" in line 5.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Hinman

1

FOR THE NEGATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Agnew | Cordts | Fuller | McCarren | Saxe |
| Allds | Cullen | Gates | Mullaney | Smith |
| Armstrong | Davis | Harte | O'Neil | Sohmer |
| Burr | Dunn | Hasenflug | Owens | Sullivan |

| | | | | |
|-----------|----------|---------|------------|--------|
| Carpenter | Emerson | Heacock | Page | Taylor |
| Cassidy | Fancher | Hill | Raines | Tully |
| Cobb | Franchot | Hooker | Ramsperger | Wilcox |
| Cohalan | Frawley | | | |

37

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|------------|
| Ackroyd | Cohalan | Frawley | Knapp | Ramsperger |
| Agnew | Cordts | Fuller | McCarren | Saxe |
| Allds | Cullen | Gates | McManus | Smith |
| Armstrong | Davis | Harte | Mullaney | Sohmer |
| Boyce | Dunn | Hasenflug | O'Neil | Sullivan |
| Burr | Emerson | Heacock | Owens | Taylor |
| Carpenter | Fancher | Hill | Page | Tully |
| Cassidy | Foelker | Hooker | Raines | Wilcox |
| Cobb | Franchot | | | |

42

FOR THE NEGATIVE.

Hinman

1

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1113, Int. No. 709) entitled "An act to amend chapter 288 of the Laws of 1906, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|------------|
| Ackroyd | Cordts | Fuller | Knapp | Ramsperger |
| Agnew | Cullen | Gates | McCall | Saxe |
| Allds | Davis | Grattan | McCarren | Smith |
| Armstrong | Dunn | Harte | McManus | Sohmer |
| Boyce | Emerson | Hasenflug | Mullaney | Sullivan |
| Burr | Fancher | Heacock | O'Neil | Taylor |

| | | | | |
|-----------|----------|--------|--------|--------|
| Carpenter | Foelker | Hill | Owens | Tully |
| Cassidy | Franchot | Hinman | Page | Wemple |
| Cobb | Frawley | Hooker | Raines | Wilcox |
| Cohalan | | | | |

46

Mr. Tully moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Mr. Tully then moved that said bill be recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill (No. 1999, Rec. No. 467) entitled "An act to amend chapter 288 of the Laws of 1906, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Ramsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2088, Rec. No. 579) entitled "An act making an appropriation for the State Engineer and Surveyor for the maintenance and repair of public highways improved or constructed by State aid, pursuant to chapter 115 of the Laws of 1898," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|-------------|----------|
| Ackroyd | Cordts | Gates | McCall | Saxe |
| Agnew | Cullen | Grattan | McCarren | Smith |
| Allds | Davis | Harte | McManus | Sohmer |
| Armstrong | Dunn | Hasenflug | Mullaney | Sullivan |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Fancher | Hill | Owens | Tully |
| Carpenter | Foelker | Hinman | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Frawley | Knapp | Rainsperger | Wilcox |
| Cohalan | Fuller | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1637, Senate reprint No. 1145, Rec. No. 367) entitled "An act to amend the Primary Election Law, in relation to excepting first class cities from special enrollment and changing date when enrollment books shall be delivered," having been announced for third reading, Mr. Hill moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, with the title amended to read as follows:

"An act to amend the primary election law, in relation to excepting first, second, and certain third class cities from special enrollment and changing date when enrollment books shall be delivered."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 992, Int. No. 806) entitled "An act to establish and maintain a water department in and for the city of Cortland," having been announced for third reading, Mr. Hinman moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 18, after line 13, insert new section, as follows:

"§ 25. All powers and authority conferred by this act shall be limited by the provisions of chapter seven hundred and twenty-three of the laws of nineteen hundred and five, establishing a state water commission, and the acts amendatory thereof."

Same page, line 14, strike out the figures "25" and insert the figures "26".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly bill (No. 1381, Rec. No. 236) entitled "An act to amend the Penal Code, in relation to the punishment of children under sixteen years of age," having been announced for third reading, Mr. Foelker moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 3, strike out the word "person" and insert the word "renders".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 1064, Int. No. 848) entitled "An act to amend the Insanity Law, relative to the erection, alteration, repairs and improvements of State hospital buildings," having been announced for third reading, Mr. Armstrong moved that

said bill be recommitted to the committee on finance, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, lines 9 and 10, print in roman all except the word "alteration".

Page 2, line 17, italicize the word "alteration".

Same page, line 25, insert comma after the word "commission".

Page 3, line 8, insert comma after the word "deposit".

Page 4, line 26, after the word "available" insert a comma, and the words "and no liability shall be incurred by the state beyond the moneys available".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Armstrong, from the committee on finance, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Page moved that the committee of the whole be discharged from the consideration of Senate bill (No. 1139, Int. No. 326) entitled "An act to amend section 401 of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines," and that said bill be amended, reprinted and recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McManus moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 495, Int. No. 441) entitled "An act fixing the rate of wages to be paid to laborers, workmen, or mechanics employed by the city of New York," and that said bill be amended, reprinted and re-committed to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McManus moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 724, Int. No. 610) entitled "An act to amend the Greater New York charter, in relation to text books and scholastic supplies, grades of schools and classes, courses of study and method of teaching," and that said bill be amended, reprinted and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Saxe offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 290, Int. No. 111) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the First Department,' relative to the appointment of a confidential clerk," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Raines offered the following:

Resolved (if the Assembly concur), That the legislative printer be authorized to purchase and furnish to each member of the Legislature a weekly copy of the New York Legislative Index, at an expense of not to exceed \$7.50 for each member so furnished.

Ordered, That said resolution be referred to the committee on finance.

Mr. White offered the following:

Resolved (if the Assembly concur), That the Clerks of the Senate and Assembly prepare and cause to be printed and bound 10,000 copies of the memorial proceedings of the Legislature on the death of ex-Governor Frank Wayland Higgins, to be distributed as follows: 500 copies to the officers and reporters of the Legislature; 500 copies to the family of the deceased; 500 copies to the State officers; 500 copies to Jacob Gould Schurman, and the remainder for the use of the members of the Legislature.

Ordered, That said resolution be referred to the committee on finance.

Mr. Cobb offered the following:

Whereas, The subject of highway improvement has become one of the important questions engaging the attention of the people of this State; and,

Whereas, A divergence of opinion exists as to the method and means by which the same shall be carried on, and the proportion of the expense which the State, counties and towns shall respectively bear; and,

Whereas, There is a widespread feeling in the agricultural sections of the State that the roads as now being constructed are too expensive, the cost thereof practically prohibiting the construction of the same to any extent in the majority of towns in the State, and that by reason thereof the counties and towns thus affected will be practically denied the advantages to be derived from highway improvement, while being compelled to pay their proportion of the general expense of the same; and,

Whereas, The statutes of the State of New York, with reference to highway improvement and highways generally, are many in conflict with each other, and many of them obsolete, having been superseded by later statutes, all of which leads to confusion and uncertainty as to what the law is with reference to the subject of highway improvement, and to the enforcement thereof; now, therefore, be it

Resolved (if the Assembly concur), That a joint committee, consisting of four members of the Senate and five members of the Assembly, be appointed by the President *pro tem* of the Senate and the Speaker of the Assembly, respectively, to investigate the subject of highway improvement in all of its phases, including the construction and maintenance of highways and the proper development of the highway improvement within this State, and to revise, codify and amend what is known as the Highway Law, and report to the Legislature on or before February 1, 1908, with its opinion and recommendations as to the general subject of highway improvement and proposed legislation with reference thereto.

Said committee is empowered to sit when the Legislature is not in session outside of the city of Albany, and to employ counsel with such stenographers, clerks and employees as may be necessary, and to subpoena and examine witnesses without oath or otherwise, and to make such further investigation pertaining to highways and the construction thereof as to said committee may seem proper.

The sum of \$15,000, or so much thereof as may be necessary, is hereby appropriated and shall be paid out of the appropriation for the contingent expenses of the Legislature for the purposes of said committee.

Ordered, That said resolution be printed and referred to the committee on finance.

The Assembly returned the Assembly bill (No. 1565, Senate reprint No. 1111, Rec. No. 319) entitled "An act to establish a police pension fund for the city of Newburgh," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1376, Rec. No. 221) entitled "An act to amend chapter 675 of the Laws of 1906, entitled 'An act to provide for the reconstruction of the west wing of the coffer dam at the outlet of Skaneateles lake, in the county of Onondaga, and making an appropriation therefor,' relative to reconstruction and improvements," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 839, Rec. No. 185) entitled "An act to amend chapter 233 of the Laws of 1884, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga, and for the post mortem examinations in coroners' cases in said county,' for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of

Assembly bill (No. 1595, Rec. No. 329) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York,' relating to the compensation of the deputy clerks, assistant clerk, record clerks, and attendants of the Court of General Sessions of the Peace in and for the county of New York," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1340, Rec. No. 219) entitled "An act authorizing the board of estimate and apportionment of the city of New York to hear, audit, determine and allow the alleged claim of the Narragansett Machine Company for furnishing to the park board of said city goods, wares and merchandise for the use in the parks of the city of New York, borough of the Bronx, and to provide payment of such claim," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 607, Senate reprint No. 1051, Rec. No. 145) entitled "An act to amend chapter 704 of the Laws of 1901, as amended by chapter 566 of the Laws of 1906, entitled 'An act to make the office of clerk of the county of Kings a salaried office, and regulating the management of said office,' " for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly returned the Senate bill (No. 702, Int. No. 92) entitled "An act to amend section 17 of chapter 378, Laws of 1892, known as the University Law, relative to the use of the State Library."

Also, Senate bill (No. 1092, Int. No. 622) entitled "An act to amend the Religious Corporations Law, relative to trusts for friends," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor. The Senate bill (No. 932, Int. No. 263) entitled "An act to establish a police pension fund for the city of Schenectady, N. Y.," was returned by the mayor of the city of Schenectady, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor. The Senate bill (No. 931, Int. No. 264) entitled "An act to establish a permanent firemen pension fund for the city of Schenectady, N. Y.," was returned by the mayor of the city of Schenectady, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor. The Senate bill (No. 529, Int. No. 462) entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York to refund assessments made on property for acquiring title to East River park, bounded by Eighty-sixth street, East river and Avenue B in the city of New York," was returned by the mayor of the city of New York, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had not objected the same.

Ordered, That said bill be laid upon the table.

The Assembly returned the concurrent resolution introduced by Mr. Hill, relative to the tercentenary of the discovery of

Lake Champlain, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Assembly sent for concurrence a resolution, in the words following:

Concurrent resolution of Senate and Assembly of the State of New York, in relation to the convention of the National Arbitration and Peace Congress to be held at New York city, April 14 to 17, 1907.

Whereas, The convention of the National Arbitration and Peace Congress is to be held in the city of New York, April 14 to 17, 1907; therefore,

Resolved (if the Senate concur):

1. That general treaties of arbitration should be negotiated by the United States with all nations, granting jurisdiction to the International Court at The Hague over as many classes of controversies as the other contracting powers can be induced to transfer from the arbitrament of war to the trial before a court of justice.

2. That the United States should declare in favor of a permanent international congress composed of representatives from every nation, to assemble periodically and automatically for the purpose of suggesting such changes in the law of nations, and in the method of its administration, as the current of events may make desirable and practicable.

3. That pending the construction and successful operation of such an assembly and also the other machinery necessary for effectual substitution of law for war in the international domain, the United States Government should adopt a naval programme which will enable the Navy to perform its duty:

Guarding our exposed sea coasts, distant possessions, our ocean-going commerce; also our interests and our citizens in foreign countries.

Executing the just foreign policies of the nation.

4. That the Governor be, and he hereby is authorized and instructed to appoint a suitable number of delegates to accompany him to the National Arbitration and Peace Congress, to be held at New York city, April 14th to 17th, as representatives of this body, and to extend to the delegates from other state capitols such hospitality as will be appropriate.

5. That the Clerk of the Assembly transmit copies of this resolution, suitably engrossed, to the legislatures of the several states.

Mr. Raines moved that said resolution be adopted.
The President put the question whether the Senate would agree
said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|--------|----------|-----------|------------|----------|
| oyd | Cordts | Gates | McCall | Saxe |
| ew | Cullen | Grattan | McCarren | Smith |
| | Davis | Harte | McManus | Sohmer |
| strong | Dunn | Hasenflug | Mullaney | Sullivan |
| e | Emerson | Heacock | O'Neil | Taylor |
| | Fancher | Hill | Owens | Tully |
| enter | Foelker | Hinmann | Page | Wemple |
| dy | Franchot | Hooker | Raines | White |
| | Frawley | Knapp | Ramsperger | Wilcox |
| lan | Fuller | | | |

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Ordered, That the Clerk return said resolution to the Assem-
with a message that the Senate has concurred in the passage
he same.

Mr. Raines moved that the Senate do now adjourn.
The President put the question whether the Senate would agree
aid motion, and it was decided in the affirmative.
Thereupon, the Senate adjourned.

FRIDAY, APRIL 12, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. L. Smith.

The journal of yesterday was read and approved.

Mr. Agnew introduced a bill (Int. No. 955) entitled "An act
to empower the State Water Supply Commission to inquire into
the expediency of the State owning or controlling the water
resources within its borders," which was read the first time, and
by unanimous consent was also read the second time, and re-
ferred to the committee on finance.

Mr. Frawley introduced a bill (Int. No. 956) entitled "An
act empowering and directing the comptroller of the city of New
York to refund assessments made upon property for acquiring
land to East River park, bounded by Eighty-sixth street, East
and Avenue B in the city of New York," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 957) entitled "An act to authorize the board of assessors of the city of New York to revise and reduce the assessments for the construction, completion and extension of the sewer system of the former village of Williamsbridge, and to authorize the comptroller in said city of New York to refund such portion of the assessment as may be reduced, and authorizing a certiorari by the Supreme Court to review or correct said assessment," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 958) entitled "An act to authorize the common council of the city of Yonkers to establish an electric light plant for the purpose of supplying the city of Yonkers and its inhabitants with light, heat and power, and to empower the common council of said city to raise the necessary funds therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 959) entitled "An act to amend chapter 579 of the Laws of 1903, entitled 'An act to enable the city of Yonkers to erect a city hall, and purchase the necessary land therefor, and to provide for the issue of bonds for the payment therefor,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 960) entitled "An act to authorize the establishment of an ice plant for the purpose of cutting, storing and selling ice within the city of Yonkers and to empower the common council of said city to raise the necessary funds therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 2125, Rec. No. 522) entitled "An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' generally, and repealing section 86 thereof," which was

d the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2123, Rec. No. 523) entitled "An act to amend the Greater New York charter, relating to participation of certain professors of the College of the City of New York in the excise fund belonging to said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2119, Rec. No. 524) entitled "An act to amend the Greater New York charter, relative to the distribution of moneys collected on account of taxation of fire insurance companies in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1200, Rec. No. 525) entitled "An act to amend the Membership Corporations Law, relative to the care of cemetery lots and the sale of unused parts of lots," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2118, Rec. No. 526) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of a deputy commissioner of public works and the submission of a proposition therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1630, Rec. No. 527) entitled "An act to amend the Code of Civil Procedure, in relation to champertous agreements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2120, Rec. No. 528) entitled "An act to amend chapter 531 of the Laws of 1900, entitled 'An act to provide for a police pension fund for the police force of the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2122, Rec. No. 529) entitled "An act to

amend chapter 36 of the Laws of 1873, entitled 'An act to provide for the supply of water in the city of Yonkers,' relative to the rate of interest of water bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1840, Rec. No. 530) entitled "An act to amend the Forest, Fish and Game Law, relative to close season for quail in certain counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1664, Rec. No. 531) entitled "An act to amend the Agricultural Law, relative to publication of results of analysis of commercial fertilizers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 1662, Rec. No. 532) entitled "An act to amend the Agricultural Law, relative to sale of material used as fertilizer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 1977, Rec. No. 533) entitled "An act providing for the issuing of bonds to an amount not to exceed \$15,000,000 for the acquisition of land in the Adirondack park, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year 1907," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 2127, Rec. No. 534) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1841, Rec. No. 535) entitled "An act to amend chapter 469 of the Laws of 1906, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making an appropriation therefor,' generally," which was read the first time, and by unanimous consent was

read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1209, Rec. No. 536) entitled "An act to amend the Code of Civil Procedure, in relation to the salary of deputy clerk of the Court of Claims," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1413, Rec. No. 537) entitled "An act to amend the Insanity Law, relative to trust funds for the support and maintenance of insane persons in State hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2121, Rec. No. 538) entitled "An act to amend the Greater New York charter, relative to the sanding of streets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2124, Rec. No. 539) entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to the appointment of officers and salaries of treasurer and clerk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1877, Rec. No. 540) entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish from streams inhabited by trout or other game fish during the close season," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1994, Rec. No. 541) entitled "An act to amend the Highway Law, relative to repairs of highways in relation to the money system," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2116, Rec. No. 542) entitled "An act to amend chapter 584 of the Laws of 1901, entitled 'An act

to fix and establish the annual salary of the county judge of Westchester county, and repealing section 222 of chapter 686 of the Laws of 1892, so far as it relates to Westchester county,' in relation to the salary of county judge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2126, Rec. No. 543), entitled "An act to amend chapter 646 of the Laws of 1905, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2097, Rec. No. 544) entitled "An act to amend chapter 617 of the Laws of 1868, entitled 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1846, Rec. No. 545) entitled "An act to amend chapter 243 of the Laws of 1859, entitled 'An act to amend the charter and several acts relating to the village of Waterford, and to incorporate the same into one act,' in relation to the powers of the trustees of such village in respect to cemeteries and legacies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Carpenter offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 645, Int. No. 555) entitled "An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

dered, That the Clerk deliver said resolution to the Assembly request their concurrence therein.

e Assembly returned the above resolution, with a message they have concurred in the passage of the same.

dered, That the Clerk deliver said resolution to the Governor.

e Assembly sent for concurrence a resolution, in the words ving:

solved (if the Senate concur), That a respectful message be the Governor, requesting the return to the Assembly of bly bill (No. 359, Rec. No. 32) entitled "An act to amend er 57 of the Laws of 1883, entitled 'An act for the preserva- of public records, maps and papers,' in relation to the com- tion of persons employed in such work," for the purpose of lment.

President put the question whether the Senate would agree d resolution, and it was decided in the affirmative.

lered, That the Clerk return said resolution to the Assembly, a message that the Senate has concurred in the passage of me.

Assembly sent for concurrence a resolution, in the words ing:

olved (if the Senate concur), That a respectful message be the Governor, requesting the return to the Assembly of bly bill (No. 662, Rec. No. 194) entitled "An act to amend r 766 of the Laws of 1897, entitled 'An act to abolish fine imprisonment for nonpayment of taxes,' relative to poll taxes for highway purposes," for the purpose of amendment.

President put the question whether the Senate would agree resolution, and it was decided in the affirmative.

red, That the Clerk return said resolution to the Assembly, message that the Senate has concurred in the passage of re.

Assembly sent for concurrence a resolution, in the words ag:

lved (if the Senate concur), That a respectful message be the Governor, requesting the return to the Assembly of ly bill (No. 1547, Rec. No. 396) entitled "An act to pro- r raising money for celebrating in 1908 the 100th anni- of the formation of the county of Cortland, and for

establishing and correcting the historical and other public records of the county, and of the several towns, cities and villages therein," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly returned the Senate bill (No. 903, Int. No. 684) entitled "An act exempting bonds of Erie county from taxation," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the resolution relative to the printing of the final report of the New York State Commission to the Louisiana Purchase Exposition, with a message that they have concurred in the adoption of the same.

Ordered, That the said resolution be transmitted to the public printer.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, APRIL 15, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. J. Walsh.

The journal of Friday, April 12th, was read and approved.

Mr. Smith introduced a bill (Int. No. 961) entitled "An act to amend the Insanity Law in relation to salaries of certain officers and employees of State hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Ackroyd introduced a bill (Int. No. 962) entitled "An

act authorizing the board of managers of the Utica State Hospital to sell certain lands belonging to such hospital and providing for the disposal of the proceeds of such sale," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Cassidy introduced a bill (Int. No. 963) entitled "An act to amend chapter 212 of the Laws of 1888, entitled 'An act to incorporate the city of Ithaca,' generally," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 964) entitled "An act to amend chapter 58 of the Laws of 1893, entitled 'An act to provide for the support of the poor in the city of Ithaca,' relating to providing funds for the board of health," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 965) entitled "An act to provide a fund for bridges and other permanent street improvement in the city of Ithaca," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Burr introduced a bill (Int. No. 966) entitled "An act in relation to the tide gates in the Shinnecock canal in the town of Southampton, Suffolk county, and the jurisdiction of the town ward over such gates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Wilcox introduced a bill (Int. No. 967) entitled "An act to authorize the board of trustees of the village of Waterloo, in the county of Seneca, to issue bonds for the payment of the existing indebtedness of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Burr introduced a bill (Int. No. 968) entitled "An act authorizing the Commissioners of the Land Office to convey a tract of land situated at Kings Park in the town of Smithtown, Suffolk county, and forming part of the lands of the Kings Park State Hospital, in exchange for certain other land situated at

Kings Park, in the town of Smithtown, Suffolk county, for the use of the said Kings Park State Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. McCall introduced a bill (Int. No. 969) entitled "An act to amend generally chapter 334 of the Laws of 1901, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Smith introduced a bill (Int. No. 970) entitled "An act to amend the Railroad Law in relation to location of route," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The Assembly sent for concurrence the bill (No. 2128, Rec. No. 546) entitled "An act to provide for the government of and to supplement the provisions of law relating to the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1203, Rec. No. 547) entitled "An act to authorize the Comptroller of the State of New York to hear and determine the application of Arthur Dreyer, for the cancellation of a tax sale made by the said Comptroller in the year 1895 against lot No. 20 on map of property on the north shore of Staten Island belonging to John C. Thompson, situated in the former town of Northfield, now the third ward of the borough of Richmond, county of Richmond, and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 437, Rec. No. 548) entitled "An act to release to Frank H. Cothren all the right, title and interest of the people of the State of New York in and to certain real estate situate in the city of New York, county of Kings, and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2038, Rec. No. 549) entitled "An act to provide for the laying out of a public park or playground in the city of New York, between Fifty-sixth and Seventy-fourth streets and east of Second avenue," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 135, Rec. No. 550) entitled "An act to lease to Maggie Hurst Murphy all the right, title and interest of the people of the State of New York, acquired by escheat, in and to certain real estate, situate in the city of Syracuse, county of Onondaga, and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1017, Rec. No. 551) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situated within the boundaries of school districts in the towns of Hyde Park and Poughkeepsie, Dutchess county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 2054, Rec. No. 552) entitled "An act to amend the Agricultural Law, relative to prohibiting the use of unclean or unsanitary cans or receptacles for the transportation and sale of milk or milk products, and appointment of inspectors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 2035, Rec. No. 553) entitled "An act to provide for the keeping of surgical supplies and appliances in hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, the bill (No. 2036, Rec. No. 554) entitled "An act to establish a police pension fund for the city of Poughkeepsie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1744, Rec. No. 555) entitled "An act to

amend the Code of Civil Procedure relating to the discharge of mechanic's lien," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1807, Rec. No. 556) entitled "An act to amend chapter 60 of the Laws of 1902, entitled 'An act to simplify the procedure, facilitate the settlement, and reduce the expenses of receivers on dissolution of moneyed corporations,' in relation to notice to creditors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1808, Rec. No. 557) entitled "An act to amend chapter 60 of the Laws of 1902, entitled 'An act to simplify the procedure, facilitate the settlement and reduce the expenses of receivers on dissolution of moneyed corporations,' in relation to the employment of counsel," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1609, Rec. No. 558) entitled "An act to extend the time of the Buffalo, Niagara Falls and Rochester Railway Company, its successors or assigns, to begin the construction of its road, to expend thereon ten per centum of the amount of its capital, and to finish its road and to put it in operation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 1954, Rec. No. 559) entitled "An act to amend the Religious Corporations Law, in relation to the True Reformed Dutch Church in the United States of America," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1618, Rec. No. 560) entitled "An act to amend chapter 114 of the Laws of 1904, entitled 'An act to release to the owners of the fee certain minerals and mining rights acquired by the State by confiscation and by reason of alienage of the former owners thereof, in the county of Putnam,' relative to the release of such minerals and mining rights acquired by the

by purchase," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Agnew, from the committee on engrossed bills, reported, directly printed and engrossed, the Senate bill (No. 1218, No. 755), entitled "An act to amend the Greater New York charter, in relation to the fixing of the salaries of members of the visiting and teaching staff of the public schools of the city of New York."

Mr. Senate bill (No. 908, Int. No. 375) entitled "An act to amend the Labor Law, relative to the hours of labor on street cars and elevated railroads."

Mr. Senate bill (No. 554, Int. No. 480) entitled "An act to amend the Greater New York charter, relative to the New York department relief fund and pensions."

Mr. Senate bill (No. 708, Int. No. 598) entitled "An act to amend chapter 231 of the Laws of 1893, entitled 'An act to legalize an agreement between the Binghamton and Port Dickinson Street Railroad Company, the Binghamton Street Railroad Company and the city of Binghamton, N. Y.'"

Mr. Senate bill (No. 753, Int. No. 639) entitled "An act to amend the law for the appointment for the Niagara, Lockport and Onondaga Power Company."

Mr. Senate bill (No. 774, Int. No. 658) entitled "An act to amend the Insanity Law, relative to trust funds for the support and maintenance of insane persons in State hospitals."

Mr. Senate bill (No. 778, Int. No. 662) entitled "An act to amend section 33 of chapter 724 of the Laws of 1905 in regard to the additional supply of pure and wholesome water for the city of New York."

Mr. Senate bill (No. 860, Int. No. 718) entitled "An act to amend the law to regulate the town of Frankfort, in Herkimer county, to regulate and control the flow of water in Moyer creek."

Mr. Senate bill (No. 948, Int. No. 775) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of a deputy commissioner of public works."

Also, Senate bill (No. 949, Int. No. 776) entitled "An act to authorize the city of Cohoes to borrow money therefor and to construct a bridge over the first branch of the Mohawk river, at Ontario street in said city."

Also, Senate bill (No. 952, Int. No. 779) entitled "An act to amend the Real Property Law, relative to furnishing certificate of recording discharge of mortgage by recording officer."

Also, Senate bill (No. 955, Int. No. 782) entitled "An act to amend the Consolidated School Law, in relation to the payment by the county of school taxes returned as unpaid in the county of Suffolk."

Also, Senate bill (No. 957, Int. No. 784) entitled "An act authorizing the municipal civil service commissioners of the city of New York to place on the eligible list of January 12, 1907, applicants for the police department of the city of New York who have become 30 years of age after the examination held on September 12, 1906."

Also, Senate bill (No. 1040, Int. No. 839) entitled "An act to change the name of the 'Bushwick Avenue Methodist Episcopal Church' to the 'Bushwick Avenue-Central Methodist Episcopal Church.'"

Also, Senate bill (No. 1060, Int. No. 844) entitled "An act to amend chapter 44 of the Laws of 1853, entitled 'An act for the better support of the poor in the town of Newburgh, in the county of Orange,' in relation to the time of reports and estimates of the commissioners of the almshouse."

Also, Senate bill (No. 1062, Int. No. 846) entitled "An act to legalize and confirm certain proceedings of the biennial town meeting of the town of Lima, in the county of Livingston, held on the 12th day of March, 1907."

Also, Senate bill (No. 1065, Int. No. 849) entitled "An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York in and to certain real estate situate in the city of Buffalo, county of Erie and State of New York, acquired by escheat or otherwise upon the death of Hyronimus Wagner."

Also, Senate bill (No. 1079, Int. No. 857) entitled "An act to amend section 3 of chapter 236 of the Laws of 1905, in respect

the rate of interest to be paid on bonds provided for in said chapter."

Also, Senate bill (No. 1080, Int. No. 858) entitled "An act to amend chapter 531 of the Laws of 1900, entitled 'An act to provide for a police pension fund for the police force of the city of Onkers.'"

Also, Senate bill (No. 1082, Int. No. 860) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls, so as to provide for a grade crossing commission, and defining the powers and duties thereof.'"

Also, Senate bill (No. 1087, Int. No. 865) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city."

Also, Senate bill (No. 1104, Int. No. 873) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city."

Also, Senate bill (No. 1130, Int. No. 893) entitled "An act to amend the Greater New York charter, relative to the department health pension fund."

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced

Mr. Hooker (No. 579, Int. No. 498), entitled "An act to amend chapter 167 of the Laws of 1906, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Hooker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Leave of absence was granted to Mr. Hinman indefinitely on account of illness.

The Senate bill (No. 774, Int. No. 658) entitled "An act to amend the Insanity Law, relative to trust funds for the support

or maintenance of insane persons in State hospitals," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Emerson | Hasenflug | O'Neil | Sohmer |
| Burr | Foelker | Heacock | Owens | Sullivan |
| Carpenter | Franchot | Hill | Page | Thompson |
| Cobb | Fuller | Hooker | Raines | Tully |
| Cullen | Gates | McCall | Ramsperger | Wemple |
| Davis | Gilchrist | McCarren | Saxe | Wilcox |
| Dunn | Grattan | McManus | | |

33

FOR THE NEGATIVE.

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|-------|---------|---------|-------|--------|---|
| Allds | Cohalan | Frawley | Harte | Taylor | 5 |
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Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 778, Int. No. 662) entitled "An act to amend section 33 of chapter 724 of the Laws of 1905 in regard to an additional supply of pure and wholesome water for the city of New York." was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 860, Int. No. 718) entitled "An act to authorize the town of Frankfort, in Herkimer county, to regulate and control the flow of water in Moyer creek," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Coruts | Gilchrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 955, Int. No. 782) entitled "An act to amend the Consolidated School Law, in relation to the payment by the county of school taxes returned as unpaid in the county of Suffolk," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 949, Int. No. 776) entitled "An act to authorize the city of Cohoes to borrow money therefor and to construct a bridge over the first branch of the Mohawk river, at Ontario street in said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

4

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 957, Int. No. 784) entitled "An act authorizing the municipal civil service commissioners of the city of New York to place on the eligible list of January 12, 1907, applicants for the police department of the city of New York, who have become 30 years of age after the examination held on September 12, 1906," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|----------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |

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|-----------|------------|--------|------------|--------|
| Carpenter | Frawley | Hill | Page | Tully |
| Cassidy | Franchot | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilechrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1040, Int. No. 839) entitled "An act to change the name of the 'Bushwick Avenue Methodist Episcopal Church' to the 'Bushwick Avenue-Central Methodist Episcopal Church,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|------------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilechrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1060, Int. No. 844) entitled "An act to amend chapter 44 of the Laws of 1853, entitled 'An act for the better support of the poor in the town of Newburgh, in the county of Orange,' in relation to the time of reports and estimates of the commissioners of the almshouse," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenfug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1062, Int. No. 846) entitled "An act to legalize and confirm certain proceedings of the biennial town meeting of the town of Lima, in the county of Livingston, held on the 12th day of March, 1907," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenfug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 554, Int. No. 480) entitled "An act to amend the Greater New York charter, relative to the New York fire department relief fund and pensions," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|------------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilechrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 374, Int. No. 331) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' relative to members of disbanded fire, hose, engine and hook and ladder companies," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|------------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilechrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 993, Senate reprint No. 847, Rec. No. 201) entitled "An act in relation to certain grade crossings in the city of Utica," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 1086, Rec. No. 163) entitled "An act to amend the Agricultural Law, in relation to moneys realized by the recovery of penalties, and certain matters of procedure," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 601, Rec. No. 269) entitled "An act to enable the trustees of the University of Pennsylvania, a cor-

poration existing under the Laws of the State of Pennsylvania, to hold and convey real estate in this State," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1677, Rec. No. 375) entitled "An act to legalize the meeting of Webster Rural Cemetery Association, of Webster, Monroe county, N. Y., held on the 5th day of February, 1907, and the election of directors thereat, as well as the acts of said directors thereunder," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1679, Rec. No. 376) entitled "An act to amend the Public Health Law, in relation to the sale of certain articles by merchants," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Alds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe. | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1520, Rec. No. 295) entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' in relation to salaries of city officials, duties of city clerk and city judge, and jurisdiction of City Court," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|----------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Alds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |

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|-----------|-----------|---------|------------|----------|
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1519, Rec. No. 355) entitled "An act to amend chapter 554 of the Laws of 1899, entitled 'An act to establish a police pension fund for the city of Albany,' relative to excise money," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenfug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 791, Rec. No. 368) entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners, and to define the powers of the consolidated corporation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1593, Rec. No. 311) entitled "An act to amend chapter 261 of the Laws of 1900, entitled 'An act to amend chapter 341 of the Laws of 1872, entitled "An act in reference to the Young Men's Association for Mutual Improvement in the city of Albany," relative to the board of trustees, vacancies therein, etc.,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1588, Rec. No. 312) entitled "An act to amend chapter 139 of the Laws of 1882, entitled 'An act to incorporate the Charity Organization Society of the City of New York,'" was read the third time.

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| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1519, Rec. No. 355) entitled "An act to amend chapter 554 of the Laws of 1899, entitled 'An act to establish a police pension fund for the city of Albany,' relative to excise money," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 791, Rec. No. 368) entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners, and to define the powers of the consolidated corporation," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

The Assembly bill (No. 1234, Rec. No. 284) entitled "An act to amend chapter 20 of the Laws of 1857, entitled 'An act to sell the burial ground at Wallabout, in the city of Brooklyn, and to provide places of burial,' in relation to sales of places so provided," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 772, Rec. No. 82) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the salaries of the record clerks and court attendants of the Court of General Sessions of the Peace in and for the county of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|---------|---------|---------|----------|----------|
| Ackroyd | Davis | Grady | McCarren | Smith |
| Allds | Dunn | Grattan | McManus | Sohmer |
| Boyce | Emerson | Harte | Mullaney | Sullivan |

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|-----------|-----------|-----------|------------|----------|
| Burr | Foelker | Hasenflug | O'Neil | Taylor |
| Carpenter | Franohot | Heacock | Owens | Thompson |
| Cassidy | Frawley | Hill | Page | Tully |
| Cobb | Fuller | Hooker | Raines | Wemple |
| Cohalan | Gates | Knapp | Ramsperger | White |
| Cordts | Gilchrist | McCall | Saxe | Wilcox |
| Cullen | | | | |

46

FOR THE NEGATIVE.

Armstrong

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 618, Rec. No. 60) entitled "An act to amend the Code of Civil Procedure relative to the clerk and deputy clerk of a surrogate's court," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franohot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1130, Int. No. 893) entitled "An act to amend the Greater New York charter, relative to the department of health pension fund," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1087, Int. No. 865) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1082, Int. No. 860) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls, so as to provide for a grade crossing commission, and defining the powers and duties thereof,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1079, Int. No. 857) entitled "An act to amend section 3 of chapter 236 of the Laws of 1905, in respect of the rate of interest to be paid on bonds provided for in said chapter," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1065, Int. No. 849) entitled "An act to release to Margaretha Ansay all the right, title and interest of

the people of the State of New York, in and to certain real estate situate in the city of Buffalo, county of Erie, and State of New York, acquired by escheat or otherwise upon the death of Hyronimus Wagner," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 919, Rec. No. 104) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against William H. Weise, fireman of the first grade, for reinstatement in said department," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1014, Rec. No. 184) entitled "An act to amend the title to chapter 664 of the Laws of 1906, entitled 'An act to amend chapter 685 of the Laws of 1895, entitled "An act to revise the charter of the city of Yonkers," and the acts amendatory thereof, relative to the removal of members of the uniformed police and fire departments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Alida | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 872, Rec. No. 188) entitled "An act to authorize any trial justice of the Supreme Court in the third judicial district to examine and certify the claim of James M. Ruso for furnishing a transcript of the stenographic minutes of the trial of the people of the State of New York against Richard E. Preusser to the presiding justice, on his request, in March, 1905," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allde | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 902, Rec. No. 189) entitled "An act to enable the school commissioner of Nassau county to consolidate union free school districts Nos. 4 and 5 of the town of North Hempstead, Nassau county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allde | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 982, Rec. No. 225) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages, or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1014, Rec. No. 184) entitled "An act to amend the title to chapter 664 of the Laws of 1906, entitled 'An act to amend chapter 685 of the Laws of 1895, entitled "An act to revise the charter of the city of Yonkers," and the acts amendatory thereof, relative to the removal of members of the uniformed police and fire departments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allde | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cobalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 872, Rec. No. 188) entitled "An act to authorize any trial justice of the Supreme Court in the third judicial district to examine and certify the claim of James M. Ruso for furnishing a transcript of the stenographic minutes of the trial of the people of the State of New York against Richard E. Preusser to the presiding justice, on his request, in March, 1905," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 902, Rec. No. 189) entitled "An act to enable the school commissioner of Nassau county to consolidate union free school districts Nos. 4 and 5 of the town of North Hempstead, Nassau county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 982, Rec. No. 225) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages, or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such

railroads within such bonded towns, villages, or cities," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenfug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1332, Rec. No. 226) entitled "An act to amend chapter 348 of the Laws of 1901, entitled 'An act to provide for sewer systems outside incorporated villages or cities,' in relation to additional amount to be expended," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenfug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1262, Rec. No. 235) entitled "An act to authorize the formation of a park district in the town of Southold, Suffolk county, to acquire lands for park purposes, and to issue bonds therefor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1338, Rec. No. 253) entitled "An act authorizing the board of estimate and apportionment of the city of New York to reconsider any determination or decision heretofore made by it relative to the proportion of cost and expense to be borne by the said city for the opening of avenue 'D' from Flatbush avenue to Rogers avenue, in the borough of Brooklyn, city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1225, Rec. No. 206) entitled "An act to amend the Executive Law, in relation to the fees of the Secretary of State," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1283, Rec. No. 359) entitled "An act for the relief of the town of Forestburgh, in the county of Sullivan," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|------------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allda | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | - McCall | Saxe | Wilcox |
| Cordts | Gilechrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1486, Int. No. 397) entitled "An act to amend chapter 24 of the Laws of 1895, entitled 'An act for the appointment of a clerk for grand juries of Chenango county,' in relation to providing a stenographer in proceedings before juries in Chenango county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|------------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allda | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilechrist | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1736, Rec. No. 432) entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city

engineer, and increasing the duties of superintendent of streets," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen. | Grady | McCarren | Smith |
| Allde | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Fancher | Heacock | Owens | Thompson |
| Carpenter | Foelker | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1793, Rec. No. 423) entitled "An act to amend chapter 357 of the Laws of 1905, entitled 'An act to revise the several acts relative to the city of Tonawanda,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allde | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1075, Rec. No. 449) entitled "An act to validate the acts of the duly qualified electors, the property owners and the trustees of the village of Kenmore with reference to the extension of the village limits, and in making the annual assessment-roll for the year 1906," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Aekroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1845, Rec. No. 482) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen, and janitors," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allde | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2003, Rec. No. 483) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allde | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1533, Rec. No. 377) entitled "An act to amend the Penal Code, relative to expenditures at elections," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar

legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hassenfug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Travis |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilchrist | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

Mr. Armstrong moved to reconsider the vote by which said bill was passed, and that said motion lie on the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Senate bill (No. 1218, Int. No. 745) entitled "An act to amend the Greater New York charter, in relation to the fixing of the salaries of members of the supervising and teaching staff of the public schools of the city of New York," having been announced for third reading, Mr. Fuller moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 5, at the end of line 7, insert the following:

"Provided, however, that for all persons who at the time of the passage of this act are members of the supervising or teaching staff of any of the public schools of the city of New York, the annual increments in each schedule and the maximum salary to be established for any schedule shall in no case be less than the annual increments for men and the maximum salary for men which were in effect at the time of the passage of this act."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cohalan Fuller

2

FOR THE NEGATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Harte | Mullaney | Sohmer |
| Allds | Davis | Hasenflug | O'Neil | Sullivan |
| Armstrong | Dunn | Heacock | Owens | Taylor |
| Boyce | Emerson | Hill | Page | Thompson |
| Burr | Franchot | Hooker | Raines | Tully |
| Carpenter | Frawley | Knapp | Ramsperger | Wemple |
| Cassidy | Gates | McCall | Saxe | White |
| Cobb | Grady | McCarren | Smith | Wilcox |
| Cordts | Grattan | McManus | | |

43

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Grady | McCarren | Smith |
| Allds | Cullen | Grattan | McManus | Sohmer |
| Armstrong | Davis | Harte | Mullaney | Sullivan |
| Boyce | Dunn | Hasenflug | O'Neil | Taylor |
| Burr | Emerson | Heacock | Owens | Thompson |
| Carpenter | Foelker | Hill | Page | Tully |
| Cassidy | Franchot | Hooker | Raines | Wemple |
| Cobb | Frawley | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |

45

FOR THE NEGATIVE.

Fuller

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 908, Int. No. 375) entitled "An act to amend the Labor Law, relative to hours of labor on street surface and elevated railroads," having been announced for third reading, Mr. Grattan moved that said bill be committed to the committee on railroads, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill (No. 1129, Rec. No. 153) entitled "An act to provide for the payment of the claim of Emil Jemm for labor performed and materials furnished in the Squadron A armory in the borough of Manhattan, New York city," having been announced for third reading, Mr. Foelker moved that said bill be recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate bill (No. 1112, Int. No. 568) entitled "An act to regulate car service on street surface railroads in the county and borough of Queens," having been announced for third reading, Mr. Harte moved that said bill be recommitted to the committee on railroads, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 2, strike out the words "the county of Queens".

Page 1, line 3, strike out the word "including".

Page 1, line 6, strike out the words "county and".

Page 2, line 5, insert after word "thereof," the words "payable to".

Page 2, line 5, strike out the words "recoverable as follows; if for".

Page 2, line 6, strike out the words "a violation in" and the words "then such penalty shall" and strike out comma and insert period after the words "New York".

Page 2, strike out all of line 7 and the words "county of Queens" in line 8.

Page 2, line 12, insert after word "York" the words "or to the district attorney of Queens county".

Page 2, line 12, beginning with the word "if," strike out the balance of the line, all of line 13 and the words "side of said city," in line 14.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wilcox, from the committee on railroads, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 753, Int. No. 639) entitled "An act to provide for the appointment of policemen for the Niagara, Lockport and Ontario Power Company," having been announced for third reading, Mr. Franchot moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 2, strike out the word "county".

The President put the question whether the Senate would agree said motion, and it was decided in the affirmative.

Mr. Davis, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 855, Int. No. 713) entitled "An act to amend chapter 518 of the Laws of 1867, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains,"' passed April 3, 1866, in relation to the powers and duties of village trustees, etc.," having been announced for third reading, Mr. Carpenter moved that said bill be recommitted to the committee on affairs of villages, with instructions to said committee to report the same forthwith, amended as follows:

Page 3, line 25, strike out the words "an dto" and insert the words "and to"; also, after the word "regulate" insert the word "or" in brackets, and italicise the word "and".

Page 7, line 13, after the word "seven" insert the words "as amended by section seven of the laws of eighteen hundred and ninety-six".

Page 10, line 9, after the word "of" insert the word "said" in brackets.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Carpenter, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 1222, Int. No. 769) entitled "An act to amend the Tax Law in relation to the taxation of bank shares," having been announced for third reading, Mr. Saxe moved that said bill be recommitted to the committee on taxation and retrenchment, with instructions to said committee to report the same forthwith, amended as follows:

Page 6, lines 25 and 26, and page 8, lines 1, 2 and 3, to be printed in italics.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Allds, from the committee on taxation and retrenchment, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly bill (No. 1322, Rec. No. 249) entitled "An act

regulating and restraining the practice of midwifery in the city of New York," having been announced for third reading, Mr. Grady moved that said bill be committed to the committee on the judiciary, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate bill (No. 1104, Int. No. 873) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city," having been announced for third reading, Mr. Davis moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Section 1. Section four hundred and forty-six of chapter one hundred and five of the laws of eighteen hundred and ninety-one, entitled "An act to revise the charter of the city of Buffalo," is hereby amended so as to read as follows:

§ 446. On or before the first day of November in each year the heads of the several departments shall prepare and deliver to the city clerk a statement in detail of all the printing, with the proper blank forms and blank-books that will be required in the respective departments for the ensuing year. The city clerk shall thereupon prepare specifications, showing the amount and kind of official printing required by the city for the use of all its officers and departments. Such specifications shall not include any matter which by law is to be published in the official paper, nor the minutes of the proceedings of the common council.

§ 2. Section four hundred and forty-eight of said chapter one hundred and five, of the laws of eighteen hundred and ninety-one, is hereby amended so as to read as follows:

§ 448. On the third Monday of December, at ten o'clock in the forenoon, the mayor, comptroller and treasurer, or any two of them, shall meet at the mayor's office, and the city clerk shall then deliver to them the sealed proposals received by him, and they shall publicly open the same. Subject to the following provisions of this section, they shall award the contract for the proposed printing and binding to the lowest bidder or bidders, who will furnish security satisfactory to them for the proper performance of the contract so awarded according to the specifications accompany-

ing the proposals. Provided, however, that said mayor, comptroller and treasurer, or any two of them, shall have the right to reject any or all bids and to award the contract or contracts to the lowest bidder or bidders by items. In case all or any bids are rejected, they, or any two of them, may direct the city clerk to advertise anew for the whole or any part of said printing or binding, as may be necessary, and it shall be his duty thereupon to cause a notice to be published as provided in section four hundred and forty-seven of this act, except that sealed proposals offered under any advertisement subsequent to that provided for by said section four hundred and forty-seven, shall be opened by the mayor, comptroller and treasurer, or any two of them, in the office of the mayor, at ten o'clock in the forenoon of the day specified in the notice, which day shall be not less than four nor more than five weeks from the first publication of said notice. Pending the awarding of any contract or contracts pursuant to this section, said mayor, comptroller and treasurer, or any two of them, may make such provision as they shall deem best for the official printing and binding until the contract or contracts shall be duly awarded for the year. They shall require security satisfactory to them for the proper performance of any and all contracts so awarded. In advertising for bids the city clerk shall provide that any bidder receiving a contract shall agree to do all the printing of the class or classes or items for which the proposals of said bidder shall be accepted and of any kind for which no items have been furnished, which the city may require during the year, whether included in the specifications inviting proposals or not, at the same rates and upon the same terms as shall be fixed in the contract. No claim for city printing shall be audited or paid unless the work and the materials therefor shall have been done or furnished as herein provided.

§ 3. This act shall take effect immediately.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Cohalan moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 1126, Int. No. 889) entitled "An act to authorize the comptroller of the city

of New York, in his discretion, to examine into the facts concerning the claim of the Church of St. Philip Neri for the repayment to it of certain moneys paid for an assessment upon its property situated in the twenty-fourth ward of said city, borough of the Bronx," and that said bill be amended, reprinted, and recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill offered the following:

Whereas, The discovery of Lake Champlain by Samuel de Champlain, on July 4, 1609, antedates the discovery by the whites of any other portion of the territory now comprising the State of New York, and was an event worthy of commemoration in the annals of the State and nation, and

Whereas, The State of Vermont, in 1906, appointed a commission, consisting of the Governor of that State and six other commissioners, to confer with commissioners to be appointed on the part of New York and the Dominion of Canada, to ascertain what action, if any, ought to be taken by such States and the Dominion of Canada for the observance of such tercentenary; therefore,

Resolved (if the Assembly concur), That a commission, consisting of the Governor, who shall be chairman, ex officio, two citizens to be designated by him, the Lieutenant-Governor, the Speaker of the Assembly, two Senators, to be designated by the Lieutenant-Governor, and two members of the Assembly, to be designated by the Speaker, be appointed to represent the State of New York at such conference, with power to enter into negotiations with the commissioners representing the State of Vermont and those representing the Dominion of Canada for the observance of such tercentenary, and that such commission report the results of their negotiations, together with their recommendations thereon, to the Legislature of 1908.

That such commissioners receive no pay for their services and that their necessary expenses be paid by the State, but such payment shall not exceed the amount expressly appropriated therefor;

Resolved (if the Assembly concur), That the resolution relating to the same subject, introduced by Senator Hill, passed by the Senate on the tenth day of April, and concurred in by the Assembly, be and is hereby rescinded.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative as follows:

FOR THE AFFIRMATIVE.

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|-----------|------------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Burr | Foelker | Heacock | Owens | Thompson |
| Carpenter | Franchot | Hill | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cobalan | Gates | McCall | Saxe | Wilcox |
| Cordts | Gilechrist | | | |

47

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The President presented a communication from the board of aldermen of the city of New York relative to the teachers' salary bill.

Ordered, That said communication be referred to the committee on affairs of cities.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, APRIL 16, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. C. W. Heisler.

The journal of yesterday was read and approved.

Mr. Knapp introduced a bill (Int. No. 971) entitled "An act to amend the Forest, Fish and Game Law, in relation to close season for lake trout and whitefish," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. O'Neil introduced a bill (Int. No. 972) entitled "An act to legalize and confirm the taxes levied for the repair of highways upon the assessment rolls of the several towns for the year 1906 under the money system," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Travis introduced a bill (Int. No. 973) entitled "An act for the erection of a monument to the memory of John C. Fremont, in Rockland cemetery, in the county of Rockland, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Owens introduced a bill (Int. No. 974) entitled "An act to authorize the city of New York to grant to the New York Central and Hudson River Railroad Company, and to its lessors, rights, interests and easements in certain streets, avenues and places in the borough of the Bronx in the said city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Franchot introduced a bill (Int. No. 975) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' in relation to the police and fire departments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cordts introduced a bill (Int. No. 976) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the Albany Towing Company against the State of New York, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cassidy introduced a bill (Int. No. 977) entitled "An act making an appropriation for certain improvements at the inlet to Cayuga lake, in the city of Ithaca," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Carpenter introduced a bill (Int. No. 978) entitled "An act to make the office of the clerk of the county of Westchester a salaried office, and regulating the management of said office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly sent for concurrence the bill (No. 2137, Rec. No. 561) entitled "An act to amend the Forest, Fish and Game Law, relating to compensation of game protectors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 2145, Rec. No. 562) entitled "An act to amend the Liquor Tax Law, in relation to State Commissioner of Excise; deputy commissioners; special deputy commissioners; excise taxes; liquor tax certificates and local option," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 1480, Rec. No. 563) entitled "An act to amend the Consolidated School Law, in relation to apportionment of school funds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1299, Rec. No. 564) entitled "An act for the appointment of a commissioner of records of the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2136, Rec. No. 565) entitled "An act to amend the Forest, Fish and Game Law, in relation to the possession of lake trout during the close season," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1289, Rec. No. 566) entitled "An act to amend the Insanity Law, in relation to hospital attorneys," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2133, Rec. No. 567) entitled "An act to amend the County Law, in relation to applying to villages the provisions thereof relating to the registration of dogs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2130, Rec. No. 568) entitled "An act to

amend the Banking Law, relative to the payment of deposits in savings banks in the names of more than one person," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, the bill (No. 2140, Rec. No. 569) entitled "An act to amend chapter 91 of the Laws of 1895, entitled 'An act to amend the incorporation of the Society of the War of 1812,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2135, Rec. No. 570) entitled "An act to amend the Forest, Fish and Game Law, in relation to certain penalties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 2132, Rec. No. 571) entitled "An act to legalize the action of the board of trustees of the village of Green Island, in reducing the width of Centre street between Hudson avenue and George street, and authorizing the execution of releases of said land to the occupants thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2134, Rec. No. 572) entitled "An act to amend the Code of Civil Procedure, in relation to the Municipal Court of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2131, Rec. No. 573) entitled "An act to amend the Code of Criminal Procedure, in relation to coroner's juries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 1828, Rec. No. 574) entitled "An act to amend chapter 117 of the Laws of 1883, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' relative to village taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 2105, Rec. No. 575) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Also, the bill (No. 1992, Rec. No. 576) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls, so as to provide for a grade crossing commission, and defining the powers and duties thereof,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Also, the bill (No. 2084, Rec. No. 577) entitled "An act to amend chapter 181 of the Laws of 1903, entitled 'An act to establish and maintain a water department in and for the city of Ithaca,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 869, Rec. No. 578) entitled "An act to amend the Greater New York charter, relative to setting apart piers for recreation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2085, Rec. No. 579) entitled "An act to amend the Penal Code, relative to bootblacks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That there shall be appointed by the temporary President of the Senate four members of the Senate and by the Speaker of the Assembly five members of the Assembly, as a special committee, whose duty it shall be to inquire into the subject of the methods of construction of improved highways and the maintenance and repairs of all highways in the State,

together with the general subject of a proper development of the whole system of highway improvement in the State; and whose duty it shall also be to revise and amend the Highway Laws, and to report to the next Legislature on or before February 15, 1908, the result of said investigation, a revised Highway Law, together with any other bill necessary to carry into effect the recommendation of the joint committee; and said committee shall have the power to prosecute its inquiries in every direction necessary to arrive at a full and correct knowledge of the subject; to send for books, papers and persons; to subpoena and examine witnesses, to employ counsel and a stenographer, and to incur necessary traveling and other expenses, and the power is granted to said committee to sit after the adjournment of the Legislature; and outside of the city of Albany. And the sum of \$7,500, or so much thereof as may be necessary, is hereby appropriated for the expenses of said joint committee out of any appropriation made for the contingent expenses of the Legislature.

Ordered, That said resolution be referred to the committee on finance.

The Assembly returned the resolution introduced by Mr. Hill relative to the observance of the tercentenary of the discovery of Lake Champlain, with a message that they have concurred in the adoption of the same.

Ordered, That said resolution be transmitted to the Governor.

The Assembly returned the bill (No. 308, Assembly reprint No. 1819, Int. No. 10) entitled "An act to amend the Labor Law, relative to the hours of employment of minors in factories," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 26, strike out "October first" and insert "January first".

Same page, line 27, strike out the word "seven" and insert the word "eight".

Mr. Davis moved that said bill be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Ackroyd
Armstrong
Cassidy
Cobb

Davis
Dunn
Fancher
Franchot

Gates
Grattan
Hill

Knapp
Raines
Smith

Taylor
Tully
White

FOR THE NEGATIVE.

| | | | | | |
|-----------|-----------|-----------|------------|----------|----|
| Boyce | Emerson | Hasenflug | O'Neil | Sohmer | |
| Burr | Fuller | Heacock | Owens | Sullivan | |
| Carpenter | Gilchrist | Hooker | Page | Thompson | |
| Cohalan | Grady | McCall | Ramsperger | Travis | |
| Cullen | Harte | Mullaney | Saxe | Wilcox | 25 |

Mr. Page moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Armstrong raised the point of order, that under subdivision 9 of rule 6, the said bill must be placed upon the calendar.

The President decided the point of order well taken.

Ordered, That said bill be restored to its place on the order of third reading.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 614, Rec. No. 363) entitled "An act to change the name of the First Baptist Church of Harpersfield, New York, to the First Baptist Church of Stamford, New York," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 1516, Senate reprint No. 1202, Rec. No. 294) entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream."

Also, the Senate bill (No. 1199, Int. No. 230) entitled "An act to amend chapter 294 of the Laws of 1904, entitled 'An act to make the office of sheriff of Orleans county a salaried one, in part, and to regulate the management thereof,' in relation to salary of under sheriff."

Also, Senate bill (No. 1201, Int. No. 599) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures."

Also, the Senate bill (No. 1200, Int. No. 738) entitled "An act to amend the Election Law, in relation to independent nominations."

Also, Senate bill (No. 1197, Int. No. 554) entitled "An act to amend the Greater New York charter, relative to the duties of the corporation counsel, in relation to uncollectable taxes."

Also, the Senate bill (No. 1198, Int. No. 695) entitled "An act to amend section 382 of the Code of Civil Procedure, relative to the statute of limitations."

The Senate bill (No. 1198, Int. No. 695) entitled "An act to amend section 382 of the Code of Civil Procedure, relative to the statute of limitations," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|--------|
| Ackroyd | Cordts | Gates | Knapp | Saxe |
| Agnew | Cullen | Gilchrist | McCall | Smith |
| Armstrong | Davis | Grady | McCarren | Sohmer |
| Boyce | Dunn | Grattan | McManus | Taylor |
| Burr | Emerson | Harte | O'Neil | Travis |
| Carpenter | Fancher | Hasenflug | Owens | Tully |
| Cassidy | Foelker | Heacock | Page | Wemple |
| Cobb | Franchot | Hill | Raines | White |
| Cohalan | Fuller | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly returned the bill (No. 813, Assembly reprint No. 1979, Int. No. 685) entitled "An act to enable the board of education of the Methodist Episcopal Church to transfer its property to 'The board of education, Freedmen's aid and Sunday schools of the Methodist Episcopal Church,'" with a message that they have concurred in the passage of the same, with the following amendment:

Line 3 of title, strike out "Freedmen's" and insert the word "Freedman's".

Mr. Davis moved that the Senate concur in said amendment.

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill as amended, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|--------|
| Ackroyd | Cordts | Gilchrist | McCall | Saxe |
| Agnew | Cullen | Grady | McCarren | Smith |
| Armstrong | Davis | Grattan | McManus | Sohmer |
| Boyce | Dunn | Harte | Mullaney | Taylor |
| Burr | Emerson | Hasenfug | O'Neil | Tully |
| Carpenter | Foelker | Heacock | Owens | Wemple |
| Cassidy | Franchot | Hill | Page | White |
| Cobb | Fuller | Hooker | Raines | Wilcox |
| Cohalan | Gates | Knapp | Ramsperger | 44 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the amendment of the Assembly thereto.

The Assembly bill (No. 1992, Rec. No. 576) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls, so as to provide for a grade crossing commission, and defining the powers and duties thereof,' " was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|--------|
| Ackroyd | Cordts | Gilchrist | McCall | Saxe |
| Agnew | Cullen | Grady | McCarren | Smith |
| Allis | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Emerson | Hasenfug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Fuller | Knapp | Ramsperger | Wilcox |
| Cohalan | Gates | | | 47 |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2105, Rec. No. 575) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|--------|
| Ackroyd | Cordts | Gilchrist | McCall | Saxe |
| Agnew | Cullen | Grady | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Emerson | Hasenflug | O'Neil | Travis |
| Burr | Fancher | Heacock | Owens | Tully |
| Carpenter | Foelker | Hill | Page | Wemple |
| Cassidy | Franchot | Hooker | Raines | White |
| Cobb | Fuller | Knapp | Ramsperger | W loox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1516, Senate reprint No. 1202, Rec. No. 294) entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|--------|
| Ackroyd | Cordts | Grady | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Armstrong | Davis | Harte | Mullaney | Taylor |
| Boyce | Dunn | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Tully |
| Carpenter | Franchot | Hill | Raines | Wemple |
| Cassidy | Fuller | Hooker | Ramsperger | White |
| Cobb | Gates | Knapp | Saxe | Wilcox |
| Cohalan | Gilchrist | McCall | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1201, Int. No. 599) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|--------|
| Ackroyd | Cordts | Gilchrist | McCall | Saxe |
| Agnew | Cullen | Grady | McCarren | Smith |
| Armstrong | Davis | Grattan | McManus | Sohmer |
| Boyce | Dunn | Harte | O'Neil | Taylor |
| Burr | Emerson | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Fuller | Hooker | Ramsperger | White |
| Cohalan | Gates | Knapp | | |

43

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate bill (No. 1200, Int. No. 738) entitled "An act to amend the Election Law, in relation to independent nominations," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|--------|
| Ackroyd | Cordts | Gates | Knapp | Saxe |
| Agnew | Cullen | Gilchrist | McCall | Smith |
| Armstrong | Davis | Grady | McCarren | Sohmer |
| Boyce | Dunn | Grattan | McManus | Taylor |
| Burr | Emerson | Harte | Mullaney | Travis |
| Carpenter | Fancher | Hasenflug | O'Neil | Tully |
| Cassidy | Foelker | Heacock | Owens | Wemple |
| Cobb | Franchot | Hill | Raines | White |
| Cohalan | Fuller | Hooker | Ramsperger | Wilcox |

45

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 33, Int. No. 33) entitled "An act to amend the Penal Code, relative to violations of provisions of the Labor Law," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|--------|
| Ackroyd | Cordts | Gates | Knapp | Smith |
| Agnew | Cullen | Gilchrist | McCall | Sohmer |
| Armstrong | Davis | Grady | McCarren | Taylor |
| Boyce | Dunn | Grattan | McManus | Travis |
| Burr | Emerson | Harte | O'Neil | Tully |
| Carpenter | Fancher | Hasenflug | Owens | Wemple |
| Cassidy | Foelker | Heacock | Raines | White |
| Cobb | Franchot | Hill | Ramsperger | Wilcox |
| Cohalan | Fuller | Hooker | Saxe | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

Senate bill (No. 952, Int. No. 779) entitled "An act to amend the Real Property Law, relative to furnishing certificate of recording discharge of mortgage by recording officer," having been announced for third reading, Mr. Hooker moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 11, after the word "which" strike out the word "and".

Same page, line 12, after the word "recorded" strike out balance of line and all of lines 13 and 14, and insert the words "and the date on which said mortgage was satisfied and discharged".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 1197, Int. No. 554) entitled "An act to amend the Greater New York charter, relative to the duties of the corporation counsel in relation to uncollectable taxes," having been announced for third reading, Mr. Owens moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, lines 9, 10 and 11, strike out the word "uncollectable" and insert the word "non-collectible," and the title amended to read as follows:

"An act to amend the Greater New York charter, relative to the duties of the corporation counsel in relation to non-collectible taxes".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 1158, Int. No. 898) entitled "An act to amend an act entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad, and to regulate weight of rail and the fare on the same,' passed May 8, 1867," having been announced for third reading, Mr. Heacock moved that said bill be recommitted to the committee on railroads, retaining its place on the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gates moved that the committee on forest, fish and game laws be discharged from the consideration of Senate bill (No. 1124, Int. No. 887) entitled "An act to amend the Forest, Fish and Game Law, relative to the protection of trout in any of the waters of the county of Madison," and that said bill be amended, reprinted and recommitted to the committee on forest, fish and game laws.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Armstrong moved to take from the table the motion to reconsider the vote by which Assembly bill (No. 1533, Rec. No. 377) entitled "An act to amend the Penal Code, relative to expenditures at elections," was passed.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Sobmer |
| Agnew | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |
| Cordts | Gates | McCall | Smith | |

49

Mr. Armstrong moved that said bill be recommitted to the committee on codes, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 9, after comma following the word "person" insert the words "except the members of marching clubs in political marching clubs and".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK,

EXECUTIVE CHAMBER,

To the Senate:

ALBANY, April 9, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Senate bill (No. 705, Int. No. 595) entitled "An act to create the office of building inspector in the village of White Plains and to provide for the appointment of the same".

CHARLES E. HUGHES.

Mr. Carpenter moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McManus | Sohmer |
| Agnew | Davis | Grattan | Mullaney | Sullivan |
| Armstrong | Dunn | Harte | O'Neil | Taylor |
| Boyes | Emerson | Hasenflug | Owens | Thompson |
| Burr | Fancher | Heacock | Page | Travis |
| Carpenter | Foelker | Hill | Raines | Tully |
| Cassidy | Franchot | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | Saxe | White |
| Cohalan | Gates | McCall | Smith | Wilcox |
| Cordts | Gilchrist | McCarren | | |

48

Mr. Carpenter then moved that said bill be recommitted to the committee on affairs of villages, with instructions to said committee to report the same forthwith, with the title amended to read as follows:

"An act to authorize the board of trustees of the village of White Plains to make and enforce ordinances regarding the construction and location of buildings in said village and to appoint a Building Inspector."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Carpenter, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK,

EXECUTIVE CHAMBER,

To the Senate:

ALBANY, April 16, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Senate bill (No. 290, Int. No. 111) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the first department,' relative to the appointment of a confidential clerk."

CHARLES E. HUGHES.

Mr. Saxe moved to lay said bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 700, Int. No. 492), entitled "An act to amend chapter 18 of the general laws, known as the County Law, relative to the issue of town obligations.

(2) Senate (No. 420, Int. No. 378), entitled "An act to amend the Tax Law, relative to taxation of personal property."

(3) Assembly (No. 1443, Rec. No. 479), entitled "An act to create and establish the office of Commissioner of Elections in the county of Westchester, and prescribing his duties."

(4) Assembly (No. 1085, Rec. No. 148), entitled "An act to amend the Real Property Law, in relation to parties to a proceeding where real property affected by a trust is conveyed, mortgaged or leased."

(5) Senate (No. 291, Int. No. 165), entitled "An act to amend chapter 466 of the Laws of 1901 (the Greater New York charter), by providing for the licensing of theatre ticket brokers and the regulation of the theatre brokerage business."

(6) Senate (No. 1254, Int. No. 326), entitled "An act to amend section 401 of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines."

(7) Senate (No. 1138, Int. No. 538), entitled "An act to amend the Code of Civil Procedure, relative to appointment of stenographers in certain counties."

(8) Assembly (No. 1134, Rec. No. 159), entitled "An act to amend the Code of Civil Procedure, in relation to the sale of perishable property levied upon by virtue of an execution."

(9) Assembly (No. 1514, Rec. No. 324), entitled "An act to amend the Code of Civil Procedure, in relation to sheriffs' fees and placing causes on the calendar."

(10) Senate (No. 172, Int. No. 166), entitled "An act to amend the Greater New York charter, relative to the New York fire department relief fund and pensions."

(11) Senate (No. 1175, Int. No. 420), entitled "An act to

amend sections 182, 184, 186, 190 and 195 of the Tax Law, in relation to the taxation of corporations."

(12) Senate (No. 1203, Int. No. 703), entitled "An act to amend the Tax Law, relative to certain exemptions."

(13) Senate (No. 1057, Int. No. 841), entitled "An act to amend the Tax Law, in relation to the definition of 'land,' 'real estate' and 'real property.'"

(14) Assembly (No. 1379, Senate reprint No. 1166, Rec. No. 214), entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the first department,' in relation to salary of clerks to justices."

(15) Senate (No. 686, Int. No. 371), entitled "An act in furtherance of the commission heretofore created to confer with the Governor and Legislature of the State of New Jersey, for the purpose of developing a system of transit between the city of New York and the State of New Jersey, extending its powers and making an appropriation therefor."

(16) Senate (No. 1158, Int. No. 898), entitled "An act to amend an act, entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad, and to regulate the weight of rail and the fare on the same,' passed May 8, 1867."

(17) Assembly (No. 870, Senate reprint No. 1221, Rec. No. 200), entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, N. Y., and to provide for the method and means of paying therefor."

(18) Assembly (No. 894, Rec. No. 283), entitled "An act making an appropriation for the payment of the principal and interest of Adirondack park bonds, issued pursuant to chapter 220 of the Laws of 1897."

(19) Assembly (No. 1515, Rec. No. 310), entitled "An act to amend the Transportation Corporations Law, in relation to the corporations for the generation and distribution of music electrically."

(20) Senate (No. 869, Int. No. 727), entitled "An act to amend the Banking Law, in relation to the lawful money reserve of banks."

(21) Senate (No. 1248, Int. No. 826), entitled "An act to repeal chapter 133 of the Laws of 1902, entitled 'An act to provide for the election and to prescribe the terms and compensation of the town trustees of the town of Southampton, in the county of Suffolk, and legalizing payment of compensation to the present and former trustees.'"

(22) Assembly (No. 724, Senate reprint No. 1267, Rec. No. 78), entitled "An act to amend the Code of Civil Procedure, in relation to maintaining an action upon an undertaking given upon appeal."

(23) Assembly (No. 89, Rec. No. 165), entitled "An act authorizing the Police Commissioner of the city of New York to appoint John W. Pinkley, an ex-policeman of the city of New York, who resigned from said police department November 24, 1897."

(24) Assembly (No. 154, Senate reprint No. 1268, Rec. No. 196), entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to actions by wage earners."

(25) Assembly (No. 1389, Rec. No. 252), entitled "An act to amend the Greater New York charter, relative to punishment of persons causing fire in stove pipes, chimney or flue."

(26) Assembly (No. 493, Rec. No. 259), entitled "An act to amend chapter 451 of the Laws of 1900, entitled 'An act authorizing the establishment of water districts in towns,' in relation to the procedure for creating such districts."

(27) Assembly (No. 1591, Rec. No. 316), entitled "An act to amend the Code of Civil Procedure, relative to the records of the weather taken at the Arsenal, Central park, New York city, by the meteorological and astronomical observatory, being presumptive evidence."

(28) Assembly (No. 1496, Rec. No. 328), entitled "An act to equalize the salaries of the court officers and messengers of the Kings County Surrogate's Court with the court attendants of the County Court of Kings county."

(29) Assembly (No. 1425, Rec. No. 352), entitled "An act to fix the salary of a District Attorney of Suffolk county, hereafter elected."

(30) Assembly (No. 1073, Rec. No. 353), entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' relative to criminal expenses chargeable to the county of Rensselaer."

(31) Assembly (No. 838, Rec. No. 356), entitled "An act to amend the Highway Law, in relation to the qualified abandonment of highways."

(32) Assembly (No. 1722, Rec. No. 386), entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' in relation to payment of the salaries of policemen and meetings of police commissioners."

(33) Assembly (No. 1534, Senate reprint No. 1269, Rec. No. 390), entitled "An act to amend the Penal Code, in relation to the sale of certain drugs."

(34) Assembly (No. 1655, Rec. No. 392), entitled "An act authorizing a referendum to the resident taxpayers of Chautauqua county on certain classes of appropriations by the board of supervisors."

(35) Assembly (No. 1733, Rec. No. 408), entitled "An act to amend chapter 241 of the Laws of 1883, entitled 'An act to incorporate the International Committee of Young Men's Christian Associations,' in relation to amount of property to be held by such committee."

(37) Assembly (No. 1914, Rec. No. 427), entitled "An act to amend chapter 232 of the Laws of 1904, entitled 'An act relating to commissioners of jurors for each county of the State having a certain population, and regulating and prescribing his duties, and also providing in what manner juries shall be made up and jurors drawn in courts of record in such counties; how they may be exempted or excused, and the length of service of such jurors,' relative to compensation of assessors."

(38) Assembly (No. 1214, Rec. No. 264), entitled "An act to legalize the bonds of union free school district No. 7 of the town of Corinth, Saratoga county, N. Y., in the amount of \$20,000, sold for the purpose of defraying the expense of building two new schoolhouses in said district; and to provide for the payment of said bonds."

(39) Senate (No. 283, Int. No. 270), entitled "An act to amend the General City Law, in relation to plumbers."

(40) Assembly (No. 328, Rec. No. 120), entitled "An act for the relief of Eugene Lentilhon, in payment for work done for and material furnished to the city of New York."

(41) Senate (No. 619, Int. No. 535), entitled "An act to regulate transfers of goods in bulk."

After some time spent therein, the President resumed the chair, and Mr. Burr, from said committee, reported in favor of the passage of the above-named bills, the eleventh and thirty-ninth named bills with amendments, which report was agreed to, and said bills ordered to a third reading.

The Assembly returned the Assembly bill (No. 1051, Senate reprint No. 1147, Rec. No. 155) entitled "An act to amend the Code of Civil Procedure, relating to notices of trial and notes of issue."

Also, Assembly bill (No. 847, Senate reprint No. 1048, Rec. No. 116) entitled "An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths in Suffolk county."

Also, Assembly bill (No. 1271, Senate reprint No. 1144, Rec. No. 237) entitled "An act to amend the Railroad Law, in relation to the collection of fare on certain electric surface railroads."

Also, Assembly bill (No. 735, Senate reprint No. 1164, Rec. No. 207) entitled "An act to amend chapter 705 of the Laws of 1905, entitled 'An act to provide for annual reports by the examination of accounts of counties, cities of the second and third classes and villages having a population of 3,000 or more, the tabulation of comparative statistics as to the cost of maintaining the various branches of government in such municipalities and making an appropriation therefor,' generally."

Also, Assembly bill (No. 1756, Senate reprint No. 1146, Rec. No. 412) entitled "An act to amend the Insurance Law, relative to investments and loans by surety company."

Also, Assembly bill (No. 1368, Senate reprint No. 1165, Rec. No. 290) entitled "An act to amend the Public Health Law, relative to the term of office of local health officers," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the Senate bill (No. 590, Int. No. 509) entitled "An act to amend the Greater New York charter, relative to the apportionment of taxes on undivided parcels of real estate," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 761, Int. No. 177) entitled "An act to amend the Greater New York charter by enacting a new section, to be known as 823-e, relative to the acquirement of certain water front property between Montgomery street and East Sixteenth street, on the East river, borough of Manhattan, city of New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 922, Int. No. 763) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments affecting the property of the Euclid Avenue Baptist Church in the borough of Brooklyn, and to declare such property hereafter exempt from such assessments," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 551, Int. No. 477) entitled "An act to empower the comptroller of the city of New York to set aside and cancel certain assessments, levied and assessed during the years 1899 and 1900, against certain real property of the Williams Avenue Methodist Episcopal Church in the borough of Brooklyn," with the message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 878, Int. No. 734) entitled "An act to amend the Greater New York charter, relative to granting of authority to the commissioners of the sinking fund, subject to the approval of the board of estimate and apportionment to exchange lands of the city of New York no longer required for a public purpose, for the lands of private owners needed for a public purpose lying within the same borough," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 755, Int. No. 641) entitled "An act to amend chapter 313 of the Laws of 1906, entitled 'An act to amend chapter 644 of the Laws of 1905, entitled 'An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to ward boundaries,' ' relating to the boundaries of the twenty-third and twenty-fourth wards in said city of Buffalo," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Buffalo for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 1015, Int. No. 452) entitled "An act making an appropriation toward rebuilding the State Normal School at New Paltz and authorizing an exchange of sites."

Also, Senate bill (No. 576, Int. No. 495) entitled "An act to amend chapter 109 of the Laws of 1897, entitled 'An act to extend the time for the Davenport, Middleburgh and Durham Railroad Company to begin the construction of its road and expend thereon ten per centum of its capital and finish and put the same in operation,' as amended by chapter 141 of the Laws of 1902, by further extension of time."

Also, Senate bill (No. 60, Int. No. 60) entitled "An act to release to Cora Fehing all the right, title and interest of the people of the State of New York in and to certain real estate situated in the second ward of the borough of Queens, county of Queens, the city and State of New York, acquired by escheat upon the death of Martin N. Connolly."

Also, Senate bill (No. 945, Int. No. 771) entitled "An act to amend the Insurance Law, relative to the insurance of automobiles."

Also, Senate bill (No. 747, Int. No. 632) entitled "An act to amend the Railroad Law, in relation to the inspection and care of steam locomotives."

Also, Senate bill (No. 534, Int. No. 64) entitled "An act to release to George C. Kline all the right, title and interest of the people of the State of New York in and to real estate situate, lying and being in the city, county and State of New York, acquired by escheat or otherwise."

Also, Senate bill (No. 560, Int. No. 237) entitled "An act to amend chapter 9 of the general laws, known as the Executive Law, to provide for the filing by notaries public in the offices of registers of the several counties, of their signatures and certificates of their appointment."

Also, Senate bill (No. 364, Int. No. 24) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to compensation of commissioners taking depositions."

Also, Senate bill (No. 383, Int. No. 340) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for mink, skunk and muskrat in the county of Ontario."

Also, Senate bill (No. 282, Int. No. 269) entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' relative to grand jury stenographers of Erie county."

Also, Senate bill (No. 937, Int. No. 322) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing with nets in Hudson and Delaware rivers and adjacent waters."

Also, Senate bill (No. 934, Int. No. 361) entitled "An act to amend the Tax Law, in regard to taxation of State lands in towns of Dannemora and Altona, in Clinton county."

Also, Senate bill (No. 956, Int. No. 783) entitled "An act to confer certain powers on the board of supervisors and treasurer

of the county of Suffolk in respect to taxes, and to validate certain compromises of taxes heretofore made by such board."

Also, Senate bill (No. 902, Int. No. 548) entitled "An act to amend the Navigation Law, in relation to regattas held on certain waters within the jurisdiction of the State."

Also, Senate bill (No. 939, Int. No. 47) entitled "An act to amend chapter 66 of the Laws of 1906, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' in relation to the payment of subordinates and the number of deputies."

Also, Senate bill (No. 772, Int. No. 656) entitled "An act to amend the Tax Law, in relation to taxable transfers," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate bill (No. 44, Int. No. 44) entitled "An act in relation to illuminating gas in the city of Albany and regulating the quality and pressure thereof and the price to consumers other than said city, and providing a penalty for violation," was returned by the mayor of the city of Albany, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 230, Int. No. 221) entitled "An act to permit the board of estimate and apportionment of the city of New York to place a portion of Lincoln road in the borough of Brooklyn under the care, custody, control and maintenance of the department of parks of the city of New York," was returned by the mayor of the city of New York, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Temporary President in the chair.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, APRIL 17, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. M. Schlésinger.

The journal of yesterday was read and approved.

Mr. Saxe introduced a bill (Int. No. 979) entitled "An act to amend section 6 of chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' as amended by chapter 623 of the Laws of 1903," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Agnew introduced a bill (Int. No. 980) entitled "An act to amend the Code of Criminal Procedure, in relation to inquiry into the insanity of defendant before trial," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Carpenter introduced a bill (Int. No. 981) entitled "An act to amend chapter 473 of the Laws of 1906, with relation to salaries of officers in second class cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Raines introduced a bill (Int. No. 982) entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of the Corning, Keuka Lake and Ontario Railway Company, and the proceedings taken and had under or in pursuance of said certificate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Hill introduced a bill (Int. No. 983) entitled "An act to amend the Insurance Law, relating to permitting the incorporation of beneficiary societies, orders or associations of persons in the service of the same employer, for the purpose of furnishing relief to members in case of sickness, disability or death," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Mullaney introduced a bill (Int. No. 984) entitled "An

act to amend the Greater New York charter, relative to the department of docks and ferries," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mullaney, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Grady introduced a bill (Int. No. 985) entitled "An act authorizing the board of commissioners of the sinking fund in the city of New York to cancel and annul certain unpaid taxes upon the real estate in said city belonging to the Friendly Aid Society," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Grady, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. McManus introduced a bill (Int. No. 986) entitled "An act to employ and use electric motive power instead of steam, by the New York and East River Railroad Company, a corporation organized pursuant and in conformity with the Laws of the State of New York, and to extend the time to complete the construction of said railroad to July 1, 1910," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Grady introduced a bill (Int. No. 987) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the Argus Company, of Albany, N. Y., against the State for damages alleged to have been sustained by them, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McCarren introduced a bill (Int. No. 988) entitled "An act to authorize the justices of the Appellate Division of the Supreme Court in the second judicial department to appoint two confidential clerks, and to provide for their compensation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Thompson introduced a bill (Int. No. 989) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Michael Clifford, a policeman of the first grade, for reinstatement in said depart-

the second time, and referred to the committee on the

bill (No. 2177, Rec. No. 591) entitled "An act to amend the Road Law, in relation to baggage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

(No. 2055, Rec. No. 592) entitled "An act to amend the Law, in relation to the sale of apples," which was read the first time, and by unanimous consent was read the second time, and referred to the

committee on agriculture.

Also, the bill (No. 906, Rec. No. 593) entitled "An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1922, Rec. No. 594) entitled "An act to authorize the commissioners of the sinking fund of the city of New York, in their discretion and upon such terms as they may deem proper, to remit certain taxes upon property of the north-western dispensary in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2174, Rec. No. 595) entitled "An act to amend the Forest, Fish and Game Law, relating to penalties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1975, Rec. No. 596) entitled "An act authorizing the board of supervisors of Seneca county to appropriate moneys to provide quarters for Grand Army posts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1804, Rec. No. 597) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district No. 13 of the town of Islip, Suffolk county," which

mond terrace to Pierhead line, in the borough of Richmond, city of New York, and authorizing and empowering the board of estimate and apportionment, in its discretion, to take action relative to the necessary expenses incurred in relation to the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1761, Rec. No. 586) entitled "An act to confer jurisdiction upon the board of supervisors of Erie county to hear, audit, determine and provide for the payment of the alleged claim of the Ryan, Danahy and Ryan Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2176, Rec. No. 587) entitled "An act to amend the Greater New York charter, in relation to the health department pension fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2113, Rec. No. 588) entitled "An act to amend section 1 of chapter 619 of the Laws of 1906, entitled 'An act to authorize the Comptroller of the State of New York to hear and determine the application of J. G. Stevens for the cancellation of the tax sale of 1877 of a portion of lot No. 59 of township No. 6, in the old military tract in the town of Ellenburgh, county of Clinton,' in relation to the application of Charles Stevens, successor in interest of J. G. Stevens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 2004, Rec. No. 589) entitled "An act to amend the Personal Property Law, relative to holders of trust funds requiring personal bonds or guaranties of payment," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1691, Rec. No. 590) entitled "An act requiring certain publications to print correct data as to persons responsible therefor, and declaring the effect of failure to do so," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2177, Rec. No. 591) entitled "An act to amend the Railroad Law, in relation to baggage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 2055, Rec. No. 592) entitled "An act to amend the Agricultural Law, in relation to the sale of apples, pears and peaches," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 906, Rec. No. 593) entitled "An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1922, Rec. No. 594) entitled "An act to authorize the commissioners of the sinking fund of the city of New York, in their discretion and upon such terms as they may deem proper, to remit certain taxes upon property of the northwestern dispensary in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2174, Rec. No. 595) entitled "An act to amend the Forest, Fish and Game Law, relating to penalties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1975, Rec. No. 596) entitled "An act authorizing the board of supervisors of Seneca county to appropriate moneys to provide quarters for Grand Army posts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1804, Rec. No. 597) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district No. 13 of the town of Islip, Suffolk county," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Also, the bill (No. 1765, Rec. No. 598) entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' in relation to the collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2178, Rec. No. 599) entitled "An act to amend the Forest, Fish and Game Law, in relation to the sale of trout, Oneida county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 2141, Rec. No. 600) entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into Mecox bay in the town of Southampton, in the county of Suffolk, and repealing chapter 628 of the Laws of 1887, chapter 257 of the Laws of 1892, and a part of chapter 29 of the Laws of 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2144, Rec. No. 601) entitled "An act to amend chapter 593 of the Laws of 1905, entitled 'An act to revise the charter of the city of Johnstown,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2175, Rec. No. 602) entitled "An act to amend the Executive Law, in relation to the deputies of the Comptroller," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1964, Rec. No. 603) entitled "An act to amend the Greater New York charter, by providing for an appropriation for the Legal Aid Society of the City of New York," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2016, Rec. No. 604) entitled "An act in relation to the compensation of village officers of the village of Skaneateles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 2173, Rec. No. 605) entitled "An act to amend the Highway Law, relative to commutation of highway labor, Montgomery county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2115, Rec. No. 606) entitled "An act in furtherance of the commission heretofore created to confer with the Governor and Legislature of the State of New Jersey for the purpose of developing a system of transit between the city of New York and State of New Jersey, extending its powers and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxe, and by unanimous consent, said bill was substituted for Senate bill (No. 686, Int. No. 371), now on the order of third reading.

Also, the bill (No. 1967, Rec. No. 607) entitled "An act to amend section 1 of chapter 242 of the Laws of 1899, entitled 'An act authorizing the acquisition of lands by the United States for the purpose of erecting public buildings thereon for post-offices and other government offices in the cities of this State, and ceding jurisdiction over such lands,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1132, Rec. No. 165) entitled "An act to amend the Railroad Law, relative to motive power of street surface railroads in certain counties," be returned to the Governor.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly,

with a message that the Senate has concurred in the passage of the same.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 1397, Senate reprint No. 1166, Rec. No. 214), entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the first department,' in relation to salary of clerks to justices."

Also, Assembly bill (No. 870, Senate reprint No. 1221, Rec. No. 200) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, N. Y., and to provide for the method and means of paying therefor."

Also, Senate bill (No. 1219, Int. No. 557) entitled "An act to amend chapter 7 of the Laws of 1904, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to the paid police force."

Also, Senate bill (No. 1019, Int. No. 306) entitled "An act to amend section 58 of chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws, as amended by chapter 539 of the Laws of 1899, and by chapter 380 of the Laws of 1906,' in relation to the appointment of special policemen."

Also, Senate bill (No. 1220, Int. No. 410) entitled "An act to amend the Banking Law, in relation to the superintendent taking possession of banks or individual banker's property and giving notice thereof, and forbidding subsequent payments and clearances."

Also, Senate bill (No. 1223, Int. No. 690) entitled "An act to amend chapter 617 of the Laws of 1868, entitled 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' generally."

Also, Senate bill (No. 1224, Int. No. 411) entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing

for the payment thereof, and appointing a commission to carry out the purposes of the act."

Also, Senate bill (No. 619, Int. No. 535) entitled "An act to regulate transfers of goods in bulk."

Also, Senate bill (No. 291, Int. No. 165) entitled "An act to amend chapter 466 of the Laws of 1901 (the Greater New York charter), by providing for the licensing of theatre ticket brokers, and the regulation of the theatre brokerage business."

Also, Senate bill (No. 1138, Int. No. 538) entitled "An act to amend the Code of Civil Procedure, relative to appointment of stenographers in certain counties."

Also, Senate bill (No. 1203, Int. No. 703) entitled "An act to amend the Tax Law, relative to certain exemptions."

Also, Senate bill (No. 1057, Int. No. 841) entitled "An act to amend the Tax Law, in relation to the definition of 'land,' 'real estate' and 'real property.'"

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Allen (No. 1867, Rec. No. 419), entitled "An act to revise and amend the charter of the city of Jamestown," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cordts (No. 759, Int. No. 644), entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a City Court therein, and define its jurisdiction and powers,' generally," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cordts, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Filley (No. 66, Rec. No. 85), entitled "An act to permit the city of Troy to borrow money on the faith of real estate purchased at tax sales

within said city, and to provide a sinking fund for the payment thereof," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Boyce, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Volk (No. 1734, Rec. No. 398), entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to ordinances enacted by the common council, and the enforcement thereof," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Baldwin (No. 1459, Rec. No. 265), entitled "An act to provide for a department of public instruction in the city of Syracuse," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. White, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. C. F. Foley (No. 1747, Rec. No. 484), entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' generally," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Franchot, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Blue (No. 2125, Rec. No. 522), entitled "An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' generally, and repealing section 86 thereof," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ackroyd, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Foelker (No. 985, Int. No. 521), entitled "An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill, introduced by Mr. Mead (No. 37, Rec. No. 54), entitled "An act to establish a retirement fund for teachers, superintendents of schools, principals and supervisors of the public schools of the city of Albany, and to regulate the collection, management and disbursement thereof," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Gates, from the committee on banks, to which was referred the Assembly bill introduced by Mr. Mead (No. 2130, Rec. No. 568), entitled "An act to amend the Banking Law, relative to the payment of deposits in savings banks in the names of more than one person," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Foelker (No. 223, Int. No. 216), entitled "An act making an appropriation for the quarantine station, Hoffman island," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Foelker (No. 220, Int. No. 213), entitled "An act making an appropriation for the quarantine station at Swinburne island," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Moreland (No. 1530, Rec. No. 322), entitled "An act authorizing the selection of lands as a site for the Eastern New York State Custodial Asylum, and establishing the said asylum," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Taylor (No. 139, Int. No. 136), entitled "An act to authorize the building of a dike or dikes for the purpose of protection of property adjacent to the Delaware river, in the village of Port Jervis, and making an appropriation therefor," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Taylor (No. 1102, Int. No. 871), entitled "An act to release certain State lands to the city of Middletown and town of Wallkill, respectively, in the county of Orange, upon certain conditions," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Raines (No. 342, Int. No. 313), entitled "An act to provide further buildings and other facilities at the New York Agricultural Experiment Station, and making an appropriation therefor," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Dunn (No. 580, Int. No. 499), entitled "An act to establish a commission of

highways and prescribing the duties and powers of such commission," reported the same to the Senate with a recommendation that said bill be committed to the committee on internal affairs of towns and counties.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Wemple (No. 1089, Int. No. 867), entitled "An act making an appropriation for the national encampment of the Grand Army of the Republic, to be held in the village of Saratoga Springs in the month of September, 1907," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by the committee on ways and means (No. 836, Rec. No. 291), entitled "An act making appropriations for the State charitable institutions, the New York State School for the Blind, the Elmira Reformatory, and the Eastern New York Reformatory," reported the same to the Senate with amendments.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, said bill ordered to a third reading, reprinted and recommitted to the committee on finance, retaining its place on the order of third reading.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Boyce (No. 1211, Int. No. 928), entitled "An act to amend the Railroad Law, relative to rates of fare," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Assembly bill introduced by Mr. Whitley (No. 1609, Rec. No. 558), entitled "An act to extend the time of the Buffalo, Niagara Falls and Rochester Railway Company, its successors or assigns to begin the construction of its road, to expend thereon ten per centum of the amount of its capital, and to finish its road and to put it in operation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Mullaney (No. 1215, Int. No. 932), entitled "An act to amend section 103 of the Railroad Law, with respect to the abandonment of part of route, temporary removal of rails, temporary discontinuance of operation and relocation of railroads and routes in cities of the first class," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to amend section 103 of the Railroad Law, with respect to the abandonment and removal of tracks, discontinuance of operation and termination of franchises in cities of the first class," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Assembly bill introduced by Mr. Baldwin (No. 455, Rec. No. 326), entitled "An act to better protect the lives of railroad employees," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Assembly bill introduced by Mr. Filley (No. 1751, Rec. No. 380), entitled "An act to amend the Labor Law, relative to hours of labor on street surface and elevated railroads in cities of the first and second class," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Burhyte (No. 1296, Rec. No. 337), entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was re-

ferred the Assembly bill introduced by Mr. Patton (No. 868, Rec. No. 521), entitled "An act making an appropriation and reappropriation for the improvement of the canals," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Assembly bill introduced by Mr. Northrup (No. 1017, Rec. No. 551), entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situated within the boundaries of school districts in the towns of Hyde Park and Foughkeepsie, Dutchess county, N. Y.," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Burr (No. 701, Int. No. 591), entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district No. 5 of the town of Smithtown, Suffolk county," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Burr, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Assembly bill introduced by Mr. Dominy (No. 1469, Rec. No. 343), entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district No. 1 in the town of Dannemora, Clinton county," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Knapp, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Assembly bill introduced by Mr. F. G. Whitney (No. 1896, Rec. No. 493), entitled "An act to amend the Tax Law, in relation to real property exempt by law from taxation, and the publishing of a list of such exempt property," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Assembly bill introduced by Mr. F. G. Whitney (No. 2145, Rec. No. 562), entitled "An act to amend the Liquor Tax Law, in relation to State Commissioner of Excise; deputy commissioners; special deputy commissioners; excise taxes; liquor tax certificates and local option," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hinman, from the committee on miscellaneous corporations, to which was referred the Senate bill introduced by Mr. Hill (No. 546, Int. No. 472), entitled "An act to amend chapter 459 of the Laws of 1893, entitled 'An act to incorporate the Economic Power and Construction Company,' generally," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by the committee on taxation and retrenchment (No. 1266, Int. No. 766), entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Assembly bill introduced by Mr. Moreland (No 661, Rec. No. 358), entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district No. 7 of the town of Groveland, Livingston county," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hooker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Ferguson (No. 1890, Rec. No. 461), entitled "An act to authorize the city of Little Falls, N. Y., to enlarge, improve and perfect its supply

of pure and wholesome water and to issue bonds to raise money for such purpose," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By direction of the President, the Clerk called the roll, when the following Senators responded:

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | McManus | Sullivan |
| Armstrong | Davis | Grattan | Mullaney | Taylor |
| Boyce | Dunn | Harte | O'Neil | Thompson |
| Burr | Foelker | Hasenflug | Owens | Travis |
| Carpenter | Franchot | Heacock | Page | Tully |
| Cassidy | Frawley | Hooker | Raines | Wemple |
| Cobb | Fuller | Knapp | Ramsperger | White |
| Cohalan | Gates | McCall | Saxe | Wilcox |

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the Senate with Mr. Allds, who was excused.

Mr. Page moved that all further proceedings under the call of the Senate be suspended.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate bill (No. 308, Assembly reprint No. 1819, Int. No. 10) entitled "An act to amend the Labor Law, relative to the hours of employment of minors in factories," having been announced for third reading, Mr. Armstrong moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 3, strike out the word "eight" and insert the word "seven."

Same page, line 4, strike out the word "five" and insert the word "six".

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|--------|--------|--------|
| Allds | Davis | Gates | Knapp | Tully |
| Armstrong | Dunn | Hill | Raines | Wemple |
| Cordts | Franchot | Hooker | Taylor | |

14

FOR THE NEGATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Foelker | Harte | Mullaney | Sohmer |
| Boyce | Frawley | Hasenflug | O'Neil | Sullivan |
| Burr | Fuller | Heacock | Owens | Thompson |
| Carpenter | Gilchrist | McCall | Page | Travis |
| Cobb | Grady | McCarren | Ramsperger | White |
| Cohalan | Grattan | McManus | Saxe | Wilcox |
| Cullen | | | | |

31

Said bill, as amended, was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grattan | McManus | Sohmer |
| Agnew | Davis | Harte | Mullaney | Sullivan |
| Allds | Dunn | Hasenflug | O'Neil | Taylor |
| Armstrong | Foelker | Heacock | Owens | Thompson |
| Boyce | Franchot | Hill | Page | Travis |
| Burr | Frawley | Hooker | Raines | Tully |
| Carpenter | Fuller | Knapp | Ramsperger | Wemple |
| Cobb | Gates | McCall | Saxe | White |
| Cohalan | Gilchrist | McCarren | Smith | Wilcox |
| Cordts | Grady | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the amendments of the Assembly thereto.

The Assembly returned the Senate bill (No. 396, Int. No. 130) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to fees payable to clerks," with a message that they have concurred in the passage of the same.

Mr. Page moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators

elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren] | Sohmer |
| Agnew | Davis | Grattan | McManus | Sullivan |
| Allds | Dunn | Harte | Mullaney | Taylor |
| Armstrong | Emerson | Hasenfug | O'Neil | Thompson |
| Boyce | Franchot | Heacock | Owens | Travis |
| Burr | Frawley | Hill | Page | Tully |
| Carpenter | Fuller | Hinman | Raines | Wemple |
| Cassidy | Gates | Hooker | Ramsperger | White |
| Cobb | Gilchrist | Knapp | Saxe | Wilcox |
| Cordts | | | | |

46

Mr. Page moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 5, strike out the words "fifty cents" and insert the words "one dollar".

Same page, line 7, strike out the brackets before and after the period, also strike out the balance of line 7 and all of line 8.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly bill (No. 868, Rec. No. 521) entitled "An act making an appropriation and reappropriation for the improvement of the canals," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenfug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2145, Rec. No. 562) entitled "An act to amend the Liquor Tax Law, in relation to State Commissioner of Excise; deputy commissioners; special deputy commissioners; excise taxes; liquor tax certificates and local option," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1273, Int. No. 866) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the police pension fund of the city of Buffalo," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |

| | | | | |
|-----------|----------|-----------|------------|----------|
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 838, Rec. No. 356) entitled "An act to amend the Highway Law, in relation to the qualified abandonment of highways," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1732, Rec. No. 409) entitled "An act to amend chapter 350 of the Laws of 1866, entitled 'An act to incorporate The Young Men's Christian Association of the City of New York,' in relation to the amount of property to be held by such association," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1914, Rec. No. 427) entitled "An act to amend chapter 232 of the Laws of 1904, entitled 'An act relating to commissioners of jurors for each county of the State having a certain population, and regulating and prescribing his duties, and also providing in what manner juries shall be made up and jurors drawn in courts of record in such counties; how they may be exempted or excused and the length of service of such jurors,' relative to compensation of assessors," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1722, Rec. No. 386) entitled "An act

amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' in relation to payment of the salaries of policemen and meetings of police commissioners," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1655, Rec. No. 392) entitled "An act authorizing a referendum to the resident taxpayers of Chautauqua county on certain classes of appropriations by the board of supervisors," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1733, Rec. No. 408) entitled "An act to amend chapter 241 of the Laws of 1883, entitled 'An act to incorporate the International Committee of Young Men's Christian Associations,' in relation to amount of property to be held by such committee," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1425, Rec. No. 352) entitled "An act to fix the salary of a district attorney of Suffolk county hereafter elected," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |

| | | | | |
|-----------|----------|-----------|------------|----------|
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1073; Rec. No. 353) entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' relative to criminal expenses chargeable to the county of Rensselaer," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1591, Rec. No. 316) entitled "An act to amend the Code of Civil Procedure, relative to the records of the weather taken at the arsenal, Central park, New York city, by the meteorological and astronomical observatory, being presumptive evidence," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1214, Rec. No. 264) entitled "An act to legalize the bonds of union free school district No. 7, of the town of Corinth, Saratoga county, N. Y., in the amount of \$20,000, sold for the purpose of defraying the expense of building two new schoolhouses in said district; and to provide for the payment of said bonds," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 493, Rec. No. 259) entitled "An act to amend chapter 451 of the Laws of 1900, entitled 'An act authorizing the establishment of water districts in towns,' in relation to the procedure for creating such districts," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 89, Rec. No. 195) entitled "An act authorizing the police commissioner of the city of New York to appoint John W. Pinkley, an ex-policeman of the city of New York, who resigned from said police department, November 24, 1897," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe. | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 328, Rec. No. 120) entitled "An act for the relief of Eugene Lentilhon, in payment for work done for and material furnished to the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2115, Rec. No. 606) entitled "An act in furtherance of the commission heretofore created to confer with the Governor and Legislature of the State of New Jersey, for the purpose of developing a system of transit between the city of New York and the State of New Jersey, extending its powers and making an appropriation therefor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |

| | | | | |
|-----------|----------|-----------|------------|--------|
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 870, Senate reprint No. 1221, Rec. No. 200) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, N. Y., and to provide for the method and means of paying therefor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

50

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1057, Int. No. 841) entitled "An act to amend the Tax Law, in relation to the definition of 'land,' 'real estate' and 'real property,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Agnew | Davis | Hasenflug | O'Neil | Taylor |
| Allds | Dunn | Hill | Page | Thompson |
| Armstrong | Fuller | Hooker | Ramsperger | Travis |
| Boyce | Gates | Knapp | Saxe | Tully |
| Burr | Grady | McCall | Sohmer | White |
| Carpenter | Grattan | Mullaney | | |

28

FOR THE NEGATIVE.

| | | | | |
|---------|---------|----------|----------|--------|
| Ackroyd | Cullen | Franchot | Heacock | Smith |
| Cassidy | Fancher | Frawley | McCarren | Wemple |
| Cobb | Foelker | Harte | Owens | Wilcox |
| Cohalan | | | | |

16

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1514, Rec. No. 324) entitled "An act to amend the Code of Civil Procedure, in relation to sheriffs' fees and placing causes on the calendar," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | McManus | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Tully |
| Carpenter | Franchot | Hill | Raines | Wemple |
| Cassidy | Frawley | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1134, Rec. No. 159) entitled "An act to amend the Code of Civil Procedure, in relation to the sale of perishable property levied upon by virtue of an execution," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | McManus | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Tully |
| Carpenter | Franchot | Hill | Raines | Wemple |
| Cassidy | Frawley | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1138, Int. No. 538) entitled "An act to amend the Code of Civil Procedure, relative to appointment of stenographers in certain counties," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | McManus | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Tully |
| Carpenter | Franchot | Hill | Raines | Wemple |
| Cassidy | Frawley | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 619, Int. No. 535) entitled "An act to regulate transfers of goods in bulk," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | McManus | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Tully |
| Carpenter | Franchot | Hill | Raines | Wemple |
| Cassidy | Frawley | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1085, Rec. No. 148) entitled "An act to amend the Real Property Law, in relation to parties to a proceeding where real property affected by a trust is conveyed, mortgaged or leased," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | McManus | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Tully |
| Carpenter | Franchot | Hill | Raines | Wemple |
| Cassidy | Frawley | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1510, Rec. No. 325) entitled "An act to amend chapter 205 of the Laws of 1863, entitled 'An act to

incorporate the Saint Joseph's German Roman Catholic Orphan Asylum Society of Rochester, Monroe county,' in relation to officers, trustees and members of Saint Joseph's Orphan Asylum Society of Rochester and Monroe county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | McManus | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Tully |
| Carpenter | Franchot | Hill | Raines | Wemple |
| Cassidy | Frawley | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1443, Rec. No. 479) entitled "An act to create and establish the office of commissioner of elections in the county of Westchester, and prescribing his duties," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | McManus | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Tully |

| | | | | |
|-----------|----------|--------|------------|--------|
| Carpenter | Franchot | Hill | Raines | Wemple |
| Cassidy | Frawley | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | McCall | | |

46

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1224, Int. No. 411) entitled "An act to provide for preserving the waters of the Bronx river; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commissioner to carry out the purpose of the act," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | McManus | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Tully |
| Carpenter | Franchot | Hill | Raines | Wemple |
| Cassidy | Frawley | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1223, Int. No. 690) entitled "An act to amend chapter 617 of the Laws of 1868, entitled 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | McManus | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Tully |
| Carpenter | Franchot | Hill | Raines | Wemple |
| Cassidy | Frawley | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | McCall | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1219, Int. No. 557) entitled "An act to amend chapter 7 of the Laws of 1904, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to the paid police force," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Sohmer |
| Agnew | Cullen | Grady | McManus | Sullivan |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Foelker | Heacock | Page | Tully |
| Carpenter | Franchot | Hill | Raines | Wemple |
| Cassidy | Frawley | Hooker | Ramsperger | White |
| Cobb | Fuller | Knapp | Saxe | Wilcox |
| Cohalan | Gates | McCall | Smith | |

49

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Assembly (No. 1225, Senate reprint No. 1093, Rec. No. 204), entitled "An act to amend the Agricultural Law, in relation to the sale at retail of renovated butter."

(2) Senate (No. 1137, Int. No. 541), entitled "An act to

incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, powerhouses and locks at or near Long Sault island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carrying on the manufacture of commodities."

After some time spent therein, the President resumed the chair, and Mr. Hasenflug, from said committee, reported in favor of the passage of the above-named bills, the first-named bill with amendments, which report was agreed to, and said bills ordered to a third reading.

The Senate bill (No. 1199, Int. No. 230) entitled "An act to amend chapter 294 of the Laws of 1904, entitled 'An act to make the office of sheriff of Orleans county a salaried one, in part, and to regulate the management thereof,' in relation to salary of undersheriff," having been announced for third reading, Mr. Franchot moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 8, after the word "resolution" insert the words "within thirty days after the passage of this act and thereafter".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Leave of absence was granted to Messrs. Hill and Davis until Monday.

The Senate bill (No. 420, Int. No. 378) entitled "An act to amend the Tax Law, relative to the taxation of personal property," having been announced for third reading, Mr. Allds moved that said bill be recommitted to the committee on taxation and retrenchment, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, lines 7, 8 and 9, strike out the italicized matter, being the words "which" to "complaining", inclusive.

Same page, line 3, strike out the word "assessment" and insert the word "assessments".

Page 2, line 2, after the word "such" insert the words "statement and".

Same page, line 3, italicize the word "complaint".

Same page, strike out the word "also" and after the word "contain" insert the following: "a true, correct and accurate list of all personal property belonging to the person so complaining and also" in italics.

Same page, line 2, print the word "in" in italics and thereafter insert the word "with" in brackets. Same page, line 25, to the word "amendment" add the letter "s" in brackets.

Same page, lines 25 and 26, print in italics the words "and no assessment against personal property".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Allds, from the committee on taxation and retrenchment, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 1203, Int. No. 703) entitled "An act to amend the Tax Law, relative to certain exemptions," having been announced for third reading. Mr. Travis moved that said bill be recommitted to the committee on taxation and retrenchment, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 9, after the word "taxation" insert the words "for local purposes".

Page 2, lines 2 and 3, strike out the words "hall or halls" and insert the words "Academy of Music".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Allds, from the committee on taxation and retrenchment, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly bill (No. 1563, Senate reprint No. 1271, Rec. No. 342) entitled "An act relating to the public printing of Clinton county," having been announced for third reading, Mr. Knapp moved that said bill be recommitted to the committee

on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 1, after the word "the" insert "members of the" and after the word "county" insert "representing, respectively, each of the two principal political parties into which the people of the county are divided,".

Page 1, line 3, after the word "provided" insert "each". Strike out the words "two newspapers" and insert "a newspaper".

Page 1, line 4, strike out the word "papers" and insert "paper"; strike out words "respectively each" and insert "one".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK,

EXECUTIVE CHAMBER,

ALBANY, April 11, 1907.

To the Senate:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Senate bill (No. 645, Int. No. 555) entitled "An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village."

CHARLES E. HUGHES.

Mr. Carpenter moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present. ³³ follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCall | Smith |
| Agnew | Cullen | Gilchrist | McCarren | Sohmer |
| Allds | Davis | Grady | McManus | Sullivan |
| Armstrong | Dunn | Grattan | Mullaney | Taylor |
| Boyce | Emerson | Harte | O'Neil | Thompson |
| Burr | Fancher | Hasenflug | Owens | Travis |
| Carpenter | Foelker | Heacock | Page | Tully |
| Cassidy | Franchot | Hill | Raines | Wemple |
| Cobb | Frawley | Hooker | Ramsperger | White |
| Cohalan | Fuller | Knapp | Saxe | Wilcox |

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Mr. Carpenter then moved that said bill be recommitted to the committee on affairs of villages, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, lines 7 and 8, strike out the words "The bonds shall be exempt from taxation".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Carpenter, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly returned the Senate bill (No. 367, Int. No. 149) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals, vacating judgments and final orders," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 813, Int. No. 685) entitled "An act to enable the board of education of the Methodist Episcopal Church to transfer its property to 'The Board of Education, Freedman's Aid and Sunday Schools of the Methodist Episcopal Church.'"

Also, Senate bill (No. 784, Int. No. 513) entitled "An act to amend section 458 of the Penal Code, relating to crimes against the public peace."

Also, Senate bill (No. 416, Int. No. 374) entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners and

to define the powers of the consolidated corporation," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate bill (No. 433, Int. No. 385) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' in reference to the maintenance and care of public libraries," was returned by the mayor of the city of Mount Vernon, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

THURSDAY, APRIL 18, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. E. H. Schlueter.

The journal of yesterday was read and approved.

Mr. Hasenflug introduced a bill (Int. No. 990) entitled "An act to amend the Greater New York charter, relative to setting apart piers for recreation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cohalan introduced a bill (Int. No. 991) entitled "An act to amend section 1023-a of the Greater New York charter, as re-enacted by chapter 706 of the Laws of 1899, relative to notifying taxpayers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Ackroyd introduced a bill (Int. No. 992) entitled "An act to amend chapter 188 of the Laws of 1906, entitled 'An act

to authorize the city of Utica to construct a general system of storm water drainage, and to borrow money to pay for the same,' relative to the rate of interest to be paid on bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 993) entitled "An act to amend chapter 131 of the Laws of 1907, entitled 'An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel,' relative to the rate of interest to be paid on bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 994) entitled "An act to amend chapter 321 of the Laws of 1898, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the appointment and compensation of an office deputy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 995) entitled "An act to amend chapter 98 of the Laws of 1900, entitled 'An act making the office of treasurer of Oneida county a salaried office, and regulating the management thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Tully introduced a bill (Int. No. 996) entitled "An act to provide for the refunding of certain taxes erroneously paid into the treasury of the State by certain foreign life insurance companies domiciled in the State of Connecticut," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Armstrong introduced a bill (Int. No. 997) entitled "An act to amend chapter 718 of the Laws of 1904, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter 133 of the Laws of 1905 and by chapter 617

of the Laws of 1906, in relation to the selection of lands and the time of making report," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 998) entitled "An act to amend the Legislative Law, generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Franchot introduced a bill (Int. No. 999) entitled "An act to amend the County Law, relative to the compensation of supervisors in Niagara county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Davis introduced a bill (Int. No. 1000) entitled "An act to repeal chapter 927 of the laws of 1895, relative to the naturalization of aliens in the courts of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 1001) entitled "An act to amend the Labor Law, relative to children working in streets and public places in cities of the first or second class," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Carpenter introduced a bill (Int. No. 1002) entitled "An act to amend chapter 479 of the Laws of 1903, entitled 'An act for the improvement and repair of streets and roads in Yonkers that have existed as public streets for 20 years, and to issue bonds for the payment thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Agnew introduced a bill (Int. No. 1003) entitled "An act for the relief of the Chapin Home for the Aged and Infirm, to authorize a sale, grant and conveyance of certain property from the city of New York to said Chapin Home for the Aged and Infirm, and to authorize the sale, grant, conveyance or lease of the property by the Chapin Home for the Aged and Infirm," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 1004) entitled "An act to amend chapter 334 of the Laws of 1901, entitled 'An act in relation to tenement houses in cities of the first-class,' as heretofore amended," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Page introduced a bill (Int. No. 1005) entitled "An act to amend the Primary Election Law, generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Foelker introduced a bill (Int. No. 1006) entitled "An act to amend chapter 147 of the Laws of 1903, entitled 'An act making provision for issuing bonds to the amount of not to exceed \$101,000,000 for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year 1903,' as amended by chapter 740 of the Laws of 1905, relative to the route of the improved Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Ackroyd introduced a bill (Int. No. 1007) entitled "An act making an appropriation toward paying the State's proportion of the cost and expense of eliminating certain grade crossings in the city of Utica," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on finance.

Mr. Smith introduced a bill (Int. No. 1008) entitled "An act to amend chapter 90 of the Laws of 1846, entitled 'An act to incorporate the Hudson Orphan and Relief Association,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill (Int. No. 1009) entitled "An act to amend the Penal Code, in relation to public morals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

The Assembly sent for concurrence the bill (No. 2056, Rec. No. 608) entitled "An act to amend the Agricultural Law, relative

to appraisal of diseased animals and compensation for animals destroyed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 2139, Rec. No. 609) entitled "An act to amend the Agricultural Law, relative to the exposition of products with other merchandise or stock in a place of business," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 2218, Rec. No. 610) entitled "An act to amend the Code of Criminal Procedure, with reference to the application for, and the granting of certificates of reasonable doubt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2217, Rec. No. 611) entitled "An act to amend the Code of Civil Procedure, relative to the trial of issues separately," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2214, Rec. No. 612) entitled "An act to amend the Penal Code, in relation to the interpretation of terms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2213, Rec. No. 613) entitled "An act to amend the Labor Law, relative to inspection of mines, tunnels and quarries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2215, Rec. No. 614) entitled "An act to amend section 921 of the Code of Civil Procedure, relative to proof of lost documentary evidence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2216, Rec. No. 615) entitled "An act to amend the Code of Civil Procedure, in relation to notice, before commitment to witness refusing to obey subpoena," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2183, Rec. No. 616) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing in Otsego lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 2297, Rec. No. 617) entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring real property for a site for a public market and constructing the same," which was read the first time; and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1912, Rec. No. 448) entitled "An act to amend chapter 834 of the Laws of 1869, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson,' generally," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1558, Rec. No. 369) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' in relation to the liability of the city." for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

Law, in relation to auctioneering, peddling, hawking and selling goods in villages incorporated thereunder," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 1838, Rec. No. 512), entitled "An act to amend section 5 of chapter 517 of the Laws of 1899, entitled 'An act to authorize the paving or macadamizing of streets, avenues, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same,' in relation to the rate of interest of bonds therein authorized to be issued," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. G. H. Whitney (No. 1846, Rec. No. 545), entitled "An act to amend chapter 243 of the Laws of 1859, entitled 'An act to amend the charter and several acts relating to the village of Waterford, and to incorporate the same into one act,' in relation to the powers of the trustees of such village in respect to cemeteries and legacies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Assembly bill introduced by Mr. Apgar (No. 1828, Rec. No. 574), entitled "An act to amend chapter 117 of the Laws of 1883, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' relative to village taxes," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Eggleston (No. 1907, Rec. No. 434), entitled "An act to amend the County Law, in relation to the compensation of super-

Mr. Cobb moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Saxe |
| Agnew | Davis | Gilchrist | McCall | Sohmer |
| Armstrong | Dunn | Grattan | McCarren | Taylor |
| Burr | Emerson | Harte | McManus | Thompson |
| Carpenter | Fancher | Hasenflug | Mullaney | Travis |
| Cassidy | Foelker | Heacock | Owens | Tully |
| Cobb | Franchot | Hill | Raines | White |
| Cohalan | Frawley | Hooker | Ramsperger | Wilcox |
| Cordts | Fuller | | | |

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Said bill, as amended, was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cullen | Gates | Knapp | Saxe |
| Agnew | Davis | Gilchrist | McCall | Smith |
| Armstrong | Dunn | Grattan | McCarren | Sohmer |
| Burr | Emerson | Harte | McManus | Taylor |
| Carpenter | Fancher | Hasenflug | Mullaney | Thompson |
| Cassidy | Foelker | Heacock | Owens | Travis |
| Cobb | Franchot | Hill | Raines | Tully |
| Cohalan | Frawley | Hooker | Ramsperger | Wilcox |
| Cordts | Fuller | | | |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, as amended.

A message from the Assembly was received, in the words following:

IN ASSEMBLY, April 9, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill (No. 697, Senate re-
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On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Lupton (No. 2141, Rec. No. 600), entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into Necox bay, in the town of Southampton, in the county of Suffolk, and repealing chapter 628 of the Laws of 1887, chapter 257 of the Laws of 1892 and a part of chapter 29 of the Laws of 1873," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Burr, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hasenflug (No. 485, Int. No. 431), entitled "An act to amend the Greater New York charter, in relation to appropriations for the Ridgewood day nursery," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hasenflug, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cullen (No. 1085, Int. No. 863), entitled "An act to amend the Greater New York charter, relative to the classification and instruction of criminals and misdemeanants," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cullen, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter (No. 1207, Int. No. 924), entitled "An act to provide for the widening of West First street, otherwise known as West Lincoln avenue, in the city of Mount Vernon, from South Eleventh avenue in said city, to the New York city line, and providing for the expense of said improvement," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. McManus (No. 463, Int. No. 409), entitled "An act authorizing the boards of city magistrates of the city of New York to appoint a bond clerk," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Mead (No. 1613, Rec. No. 468), entitled "An act to amend chapter 312 of the Laws of 1898, entitled 'An act increasing the jurisdiction of the City Court of Albany, and relative to a jury list in said court, and regulating the practice therein,' in relation to costs in said court," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the senate bill introduced by Mr. Thompson (No. 494, Int. No. 440), entitled "An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn in the city of New York," reported in favor of the passage of the same, Senator White dissenting, which report was agreed to.

On motion of Mr. Thompson, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Duell (No. 2092, Rec. No. 501), entitled "An act to provide for the election of a president of the common council of the city of Mount Vernon, defining his duties and fixing his salary," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, said bill was substituted for Senate bill (No. 1276, Int. No. 774), now on the order of third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Duell (No. 2118, Rec. No. 526), entitled "An act to amend chapter 182 of

No. 390) entitled "An act to amend the Penal Code, in relation to the sale of certain drugs."

Also, Senate bill (No. 1260, Int. No. 282) entitled "An act to amend chapter 127 of the Laws of 1866, entitled 'An act relative to the collection of taxes in the town of Oswegatchie, in the county of St. Lawrence,' in relation to the manner of collecting such taxes."

Also, Senate bill (No. 1257, Int. No. 848) entitled "An act to amend the Insanity Law, relative to the erection, alteration, repairs and improvements of State hospital buildings."

Also, Senate bill (No. 1263, Int. No. 534) entitled "An act authorizing the Commissioners of the Land Office to make a grant or grants of lands under the waters of Niagara river to the city of Buffalo for a pumping station site and for other municipal purposes, for a nominal consideration, and abandoning certain lands within the blue line of the Erie canal."

Also, Senate bill (No. 1278, Int. No. 590) entitled "An act to empower the board of assessors to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York."

Also, Senate bill (No. 1277, Int. No. 593) entitled "An act to amend chapter 584 of the Laws of 1901, entitled 'An act to fix and establish the annual salary of the county judge of Westchester county, and repealing section 222 of chapter 686 of the Laws of 1892, so far as it relates to Westchester county,' in relation to the amount of such salary."

Also, Senate bill (No. 1276, Int. No. 774) entitled "An act to provide for the election of a president of the common council of the city of Mount Vernon, defining his duties and fixing his salary."

Also, Senate bill (No. 1274, Int. No. 861) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls.'"

Also, Senate bill (No. 1275, Int. No. 869) entitled "An act to amend section 2 of title 1 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers.'"

Also, Senate bill (No. 1254, Int. No. 326) entitled "An act to amend section 401 of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines."

Also, Senate bill (No. 1248, Int. No. 826) entitled "An act to repeal chapter 133 of the Laws of 1902, entitled 'An act to provide for the election and to prescribe the terms and compensation of the town trustees of the town of Southampton, in the county of Suffolk, and legalizing payment of compensation to the present and former trustees.'"

Also, Senate bill (No. 220, Int. No. 213) entitled "An act making an appropriation for the quarantine station at Swinburne island."

Also, Senate bill (No. 223, Int. No. 216) entitled "An act making an appropriation for the quarantine station at Hoffman island."

Also, Senate bill (No. 701, Int. No. 591) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district No. 5 of the town of Smithtown, Suffolk county."

Also, Senate bill (No. 1102, Int. No. 871) entitled "An act to release certain State lands to the city of Middletown and town of Wallkill, respectively, in the county of Orange, upon certain conditions."

Also, Senate bill (No. 1137, Int. No. 541) entitled "An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, powerhouses and locks at or near Long Sault island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities."

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Taylor (No. 1232, Int. No. 942), entitled "An act to amend the General Village

and extensions," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Agnew, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred to Assembly bill introduced by Mr. Brown (No. 2176, Rec. No. 587), entitled "An act to amend the Greater New York charter, in relation to the health department pension fund," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Green (No. 1400, Rec. No. 250), entitled "An act to provide that assessments due and payable after January 1, 1907, pursuant to chapter 244 of the Laws of 1878 and the acts amendatory thereof, for laying out and improving Prospect park in the city of Brooklyn, shall be paid by the city of New York, and providing for refunding of any such assessments heretofore paid," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Travis, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Burns (No. 822, Rec. No. 498), entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grady, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Schmidt (No. 685, Rec. No. 258), entitled "An act empowering the comptroller of the city of New York to vacate and cancel a certain assessment for public improvements, upon the real property of St. Paul's German Evangelical Reformed church," reported in favor of the passage of the same with amendments, the title being amended

to read as follows: "An act empowering the comptroller of the city of New York to vacate and cancel certain assessment for public improvements, upon the real property of Saint Paul's German Evangelical Reformed Church," which report was agreed to.

On motion of Mr. Frawley, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Stanley (No. 1730, Rec. No. 411), entitled "An act to amend the Greater New York charter, relative to police clerks, first division and second division," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. C. F. Murphy (No. 1899, Rec. No. 490), entitled "An act to amend the Tax Law, relative to certain exemptions," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Weber (No. 1727, Rec. No. 391), entitled "An act to amend the Greater New York charter, relating to the office of coroner," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Gates (No. 991, Int. No. 805), entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws,

to which was referred the Senate bill introduced by Mr. Taylor (No. 471, Int. No. 418), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish from the waters of Orange lake, in the county of Orange," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Apgar (No. 553, Rec. No. 35), entitled "An act to amend the Forest, Fish and Game Law, in relation to nets in the Hudson and Delaware rivers and adjacent waters," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Moreland (No. 1862, Rec. No. 439), entitled "An act to amend chapter 734 of the Laws of 1904, entitled 'An act to establish a permanent commission for the regulation of the flow of water courses in this State in aid of the public health and safety, to be known as the river improvement commission,' in relation to authority of commission to perform the work and to issue certificates and bonds in payment therefor," reported the same to the Senate with amendments.

On motion of Mr. Armstrong, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on finance.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by Mr. Nevins (No. 1788, Rec. No. 491), entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Livingston county," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by

Mr. Hastings (No. 771, Rec. No. 308), entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in Dutchess and Orange counties," reported in favor of the passage of the same with amendments, the title being amended to read as follows: "An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in Columbia, Greene, Ulster, Fulton, Dutchess, and Orange counties," which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Page (No. 888, Int. No. 740), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain taxes upon property in the city of New York owned by the Harlem Presbyterian Church," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Page, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Carpenter, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Carpenter (No. 1181, Int. No. 907), entitled "An act to amend chapter 242 of the Laws of 1906, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. O'Neil (No. 1032, Int. No. 831), entitled "An act to release to Sophie Demers, widow of Joseph Demers, all the right, title and interest of the people of the State of New York in and to certain real estate situated in the town of Altamont, county of Franklin and State of New York, acquired by escheat or otherwise on the death of said Joseph Demers," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. O'Neil, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grattan (No. 649, Int. No. 560), entitled "An act to amend the Insanity Law, relative to the support and maintenance of patients in State hospitals," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grattan (No. 875, Int. No. 731), entitled "An act to repeal section 4 of chapter 490 of the Laws of 1888, entitled 'An act for the incorporation of societies for the prevention of cruelty to animals, and to amend sections 656 and 668 of the Penal Code, relating to cruelty to animals,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hasenflug (No. 1129, Int. No. 892), entitled "An act to legalize the acts of Jacob W. Kahn, a commissioner of deeds," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Tully (No. 1173, Int. No. 765), entitled "An act to amend the Civil Service Law, relative to examinations," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Tully, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Davis (No. 804, Int. No. 676), entitled "An act in relation to probation in the State of New York, constituting chapter 52 of the general laws," reported the same to the Senate with amendments.

On motion of Mr. Davis, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on the judiciary.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Tully (No. 767, Rec. No. 651), entitled "An act to amend the Civil Service Law, with respect to the registration of laborers," reported the same to the Senate with amendments.

On motion of Mr. Davis, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on the judiciary.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Young (No. 1676, Rec. No. 378), entitled "An act to amend the Lien Law, relative to publishing notice of sale of personal property to satisfy a lien," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Waters (No. 132, Rec. No. 571), entitled "An act to legalize the action of the board of trustees of the village of Green Island, in reducing the width of Centre street between Hudson avenue and George street, and authorizing the execution of releases of said land to the occupants thereof," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Hammond (No. 642, Rec. No. 350), entitled "An act to amend chapter 194 of the Laws of 1897, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than 150,000 and less than 190,000, and regulating and prescribing his duties,' relative to clerk hire and drawing of jurors," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Raines, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Gilchrist (No. 164, Int. No. 85), entitled "An act relating to the publication of judicial proceedings and legal notices in the second judicial department of the State of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gilchrist, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Schoeneck (No. 1260, Rec. No. 327), entitled "An act to amend the Primary Election Law, relative to the application of its provisions to political parties," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Schoeneck (No. 568, Rec. No. 315), entitled "An act to amend the Lien Law, relative to the filing of contracts, assignments or orders with the chief fiscal officer of a municipal corporation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Mead (No. 1562, Rec. No. 520), entitled "An act to amend the Revised Statutes, in relation to references in insolvent debtors' proceedings," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 535, Rec. No. 365), entitled "An act to amend the Statutory Construction Law in relation to registers of counties," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. G. H. Whitney (No. 1397, Rec. No. 371), entitled "An act to amend chapter 823 of the Laws of 1895, entitled 'An act to regulate barbering on Sunday,' in relation to the application of such act to Saratoga Springs," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cordts, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. Boyce (No. 914, Int. No. 755), entitled "An act to amend an act, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' being chapter 146 of the Laws of 1856," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Prentice (No. 1864, Rec. No. 473), entitled "An act to amend the Labor Law, relative to the issuance of employment certificates for children in factories and mercantile establishments," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Agnew, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cordts, from the committee on commerce and navigation, to which was referred the Assembly bill introduced by Mr. Hooper (No. 490, Rec. No. 49), entitled "An act to establish a ferry from the highway adjacent to the farm of George H. Huber, in the county of Essex, across Lake Champlain," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Knapp, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Lansing (No. 528,

to which was referred the Senate bill introduced by Mr. Taylor (No. 471, Int. No. 418), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish from the waters of Orange lake, in the county of Orange," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Apgar (No. 553, Rec. No. 35), entitled "An act to amend the Forest, Fish and Game Law, in relation to nets in the Hudson and Delaware rivers and adjacent waters," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Moreland (No. 1862, Rec. No. 439), entitled "An act to amend chapter 734 of the Laws of 1904, entitled 'An act to establish a permanent commission for the regulation of the flow of water courses in this State in aid of the public health and safety, to be known as the river improvement commission,' in relation to authority of commission to perform the work and to issue certificates and bonds in payment therefor," reported the same to the Senate with amendments.

On motion of Mr. Armstrong, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on finance.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by Mr. Nevins (No. 1788, Rec. No. 491), entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Livingston county," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by

the payment of the principal and interest of said bonds," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Filley (No. 2051, Rec. No. 504), entitled "An act to amend chapter 259 of the Laws of 1900, entitled 'An act to change the name of the Justices' Court of the city of Troy to the City Court of Troy, to prescribe the manner of the appointment of the clerk thereof, and of marshals and attendants upon said court, to increase the jurisdiction thereof, to abolish the office of constable in the city of Troy and to regulate the practice in said court,' as amended by chapter 674 of the Laws of 1901," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Boyce, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Knapp (No. 1035, Int. No. 834), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section 7 of article 7 of the constitution," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 2122, Rec. No. 529), entitled "An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for the supply of water in the city of Yonkers,' relative to the rate of interest of water bonds," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1697, Rec. No. 383), entitled "An act to amend chapter 596 of the Laws of 1898, entitled 'An act to amend chapter 163 of the

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For the first time in the history of the world, the
the world's great religions are being read in a third reading.

[illegible]

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on streets and public works of city was referred the Assembly bill introduced by Mr. [redacted] (S.B. No. 2041, Rec. No. 506), entitled "An act to amend chapter 89 of the Laws of 1896, entitled 'An act to amend several acts in relation to the city government of said city, and to establish'

its jurisdiction and powers,' generally," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cordts, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Rogers (No. 2124, Rec. No. 539), entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to appointment of officers and salaries of treasurer and clerk," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Tully, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1941, Rec. No. 466), entitled "An act to amend chapter 579 of the Laws of 1903, entitled 'An act to enable the city of Yonkers to erect a city hall and purchase the necessary land therefor, and to provide for the issue of bonds for the payment therefor,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Saxe (No. 1179, Int. No. 905), entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' in relation to liens of hotel, inn, boarding and lodging-house keepers, as amended by chapter 380 of the Laws of 1899," reported the same to the Senate with amendments, title amended to read as follows: "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' in relation to liens of hotel, inn, boarding and lodging-house keepers, as amended by chapter 380 of the Laws of 1899, and chapter 206 of the Laws of 1905."

On motion of Mr. Davis, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on the judiciary.

Mr. Page, from the committee on public education, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 1366, Rec. No. 415), entitled "An act empowering the free school district No. 1, of the town of White Plains, New York, to acquire land for the purpose of an athletic field," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Burr (No. 1291, Int. No. 966), entitled "An act in relation to the tide gates in the Shinnecock canal in the town of Southampton, Suffolk county, and the jurisdiction of the town board of such gates," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Burr, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Leave of absence was granted to Messrs. Saxe, Ramsperger, Sullivan and McManus until Monday.

The Assembly bill (No. 2130, Rec. No. 568) entitled "An act to amend the Banking Law, relative to the payment of deposits in savings banks in the names of more than one person," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | Knapp | Sohmer |
| Agnew | Cullen | Gilchrist | McCall | Taylor |
| Alds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | Wemple |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | | | |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1260, Int. No. 282) entitled "An act to amend chapter 127 of the Laws of 1866, entitled 'An act relative to the collection of taxes in the town of Oswegatchie, in the county of Saint Lawrence,' in relation to the manner of collecting such taxes," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | Wemple |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | Knapp | | |

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Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1896, Rec. No. 493) entitled "An act to amend the Tax Law, in relation to real property exempt by law from taxation, and the publishing of a list of such exempt property," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|--------|
| Agnew | Cohalan | Gates | McCarren | Travis |
| Allds | Cordts | Gilchrist | O'Neil | Tully |
| Armstrong | Cullen | Grattan | Page | Wemple |
| Burr | Dunn | Harte | Raines | White |
| Carpenter | Fancher | Heacock | Taylor | Wilcox |
| Cobb | Franchot | Knapp | | |

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FOR THE NEGATIVE.

| | | | | |
|---------|--------|----------|-------|----------|
| Ackroyd | Fuller | McCall | Owens | Sohmer |
| Cassidy | Grady | Mullaney | Smith | Thompson |
| Frawley | Hooker | | | |

12

Rec. No. 320), entitled "An act to legalize the action of the board of directors of the Pittstown Insurance Company in borrowing money in the year 1904, and to provide for the payment thereof," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. G. W. Murphy (No. 1325, Rec. No. 405), entitled "An act to incorporate the Barryville and Shohola Suspension Bridge Company in Sullivan county," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Yale (No. 1618, Rec. No. 560), entitled "An act to amend chapter 114 of the Laws of 1904, entitled 'An act to release to the owners of the fee certain minerals and mining rights acquired by the State by confiscation and by reason of alienage of the former owners thereof, in the county of Putnam,' relative to the release of such minerals and mining rights acquired by the State by purchase," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Smith, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Lansing (No. 1816, Rec. No. 489), entitled "An act to legalize bonds of the village of Hoosick Falls, to be issued for the purpose of acquiring the water supply system, property, rights and privileges of the Hoosick Falls Water Supply Company, and to renew and repair said system, and to legalize all proceedings of the board of trustees in relation thereto, including the proposition submitted to the qualified electors of said village at a special election held on the 15th day of January, 1907, and all proceedings of said board of trustees in relation and subsequent thereto, and to provide for

the payment of the principal and interest of said bonds," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Grattan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Filley (No. 2051, Rec. No. 504), entitled "An act to amend chapter 259 of the Laws of 1900, entitled 'An act to change the name of the Justices' Court of the city of Troy to the City Court of Troy, to prescribe the manner of the appointment of the clerk thereof, and of marshals and attendants upon said court, to increase the jurisdiction thereof, to abolish the office of constable in the city of Troy and to regulate the practice in said court,' as amended by chapter 674 of the Laws of 1901," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Boyce, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Knapp (No. 1035, Int. No. 834), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section 7 of article 7 of the constitution," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 2122, Rec. No. 529), entitled "An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for the supply of water in the city of Yonkers,' relative to the rate of interest of water bonds," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1697, Rec. No. 383), entitled "An act to amend chapter 596 of the Laws of 1898, entitled 'An act to amend chapter 163 of the

Laws of 1873, entitled "An act to organize and establish a police department for the city of Yonkers," generally," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1041, Rec. No. 133), entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' relating to the expense for street improvement," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill, introduced by Mr. Haines (No. 2120, Rec. No. 528), entitled "An act to amend chapter 531 of the Laws of 1900, entitled 'An act to provide for a police pension fund for the police force of the city of Yonkers,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1521, Rec. No. 307), entitled "An act to amend title 10 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the care of sick and disabled poor in hospitals," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Fowler (No. 2041, Rec. No. 506), entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define

its jurisdiction and powers,' generally," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cordts, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Rogers (No. 2124, Rec. No. 539), entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to appointment of officers and salaries of treasurer and clerk," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Tully, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1941, Rec. No. 466), entitled "An act to amend chapter 579 of the Laws of 1903, entitled 'An act to enable the city of Yonkers to erect a city hall and purchase the necessary land therefor, and to provide for the issue of bonds for the payment therefor,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Saxe (No. 1179, Int. No. 905), entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' in relation to liens of hotel, inn, boarding and lodging-house keepers, as amended by chapter 380 of the Laws of 1899," reported the same to the Senate with amendments, title amended to read as follows: "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' in relation to liens of hotel, inn, boarding and lodging-house keepers, as amended by chapter 380 of the Laws of 1899, and chapter 206 of the Laws of 1905."

On motion of Mr. Davis, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on the judiciary.

Laws of 1873, entitled "An act to organize and establish a police department for the city of Yonkers," generally," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1041, Rec. No. 133), entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' relating to the expense for street improvement," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill, introduced by Mr. Haines (No. 2120, Rec. No. 528), entitled "An act to amend chapter 531 of the Laws of 1900, entitled 'An act to provide for a police pension fund for the police force of the city of Yonkers,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1521, Rec. No. 307), entitled "An act to amend title 10 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the care of sick and disabled poor in hospitals," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Fowler (No. 2041, Rec. No. 506), entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define

its jurisdiction and powers,' generally," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cordts, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Rogers (No. 2124, Rec. No. 539), entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to appointment of officers and salaries of treasurer and clerk," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Tully, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. White, from the committee on affairs of cities, to which was referred the Assembly bill introduced by Mr. Haines (No. 1941, Rec. No. 466), entitled "An act to amend chapter 579 of the Laws of 1903, entitled 'An act to enable the city of Yonkers to erect a city hall and purchase the necessary land therefor, and to provide for the issue of bonds for the payment therefor,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Davis, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Saxe (No. 1179, Int. No. 905), entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' in relation to liens of hotel, inn, boarding and lodging-house keepers, as amended by chapter 380 of the Laws of 1899," reported the same to the Senate with amendments, title amended to read as follows: "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' in relation to liens of hotel, inn, boarding and lodging-house keepers, as amended by chapter 380 of the Laws of 1899, and chapter 206 of the Laws of 1905."

On motion of Mr. Davis, and by unanimous consent, it was ordered that said bill be printed and recommitted to the committee on the judiciary.

Mr. Page, from the committee on public education, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 1366, Rec. No. 415), entitled "An act empowering united free school district No. 1, of the town of White Plains, New York, to acquire land for the purpose of an athletic field," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Senate bill introduced by Mr. Burr (No. 1291, Int. No. 966), entitled "An act in relation to the tide gates in the Shinnecock canal in the town of Southampton, Suffolk county, and the jurisdiction of the town board over such gates," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Burr, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Leave of absence was granted to Messrs. Saxe, Ramsperger, Sullivan and McManus until Monday.

The Assembly bill (No. 2130, Rec. No. 568) entitled "An act to amend the Banking Law, relative to the payment of deposits in savings banks in the names of more than one person," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | Knapp | Sohmer |
| Agnew | Cullen | Gilchrist | McCall | Taylor |
| Allds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenfug | Page | Wemple |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | | | |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1260, Int. No. 282) entitled "An act to amend chapter 127 of the Laws of 1866, entitled 'An act relative to the collection of taxes in the town of Oswegatchie, in the county of Saint Lawrence,' in relation to the manner of collecting such taxes," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | Wemple |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | Knapp | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1896, Rec. No. 493) entitled "An act to amend the Tax Law, in relation to real property exempt by law from taxation, and the publishing of a list of such exempt property," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|--------|
| Agnew | Cohalan | Gates | McCarren | Travis |
| Allds | Cordts | Gilchrist | O'Neil | Tully |
| Armstrong | Cullen | Grattan | Page | Wemple |
| Burr | Dunn | Harte | Raines | White |
| Carpenter | Fancher | Heacock | Taylor | Wilcox |
| Cobb | Franchot | Knapp | | |

28

FOR THE NEGATIVE.

| | | | | |
|---------|--------|----------|-------|----------|
| Ackroyd | Fuller | McCall | Owens | Sohmer |
| Cassidy | Grady | Mullaney | Smith | Thompson |
| Frawley | Hooker | | | |

12

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2092, Rec. No. 501) entitled "An act to provide for the election of a president of the common council of the city of Mount Vernon, defining his duties and fixing his salary," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Davis | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | Wemple |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | | | |

42

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2116, Rec. No. 542) entitled "An act to amend chapter 584 of the Laws of 1901, entitled 'An act to fix and establish the annual salary of the county judge of Westchester county, and repealing section 222 of chapter 686 of the Laws of 1892, so far as it relates to Westchester county,' in relation to the amount of such salary," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McCall | Sohmer |
| Agnew | Cullen | Grady | McCarren | Taylor |
| Allds | Dunn | Grattan | Mullaney | Thompson |
| Armstrong | Emerson | Harte | O'Neil | Travis |
| Burr | Fancher | Hasenflug | Owens | Tully |

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts] | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Davis | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | Wemple] |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | | | |

42

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1137, Int. No. 541) entitled "An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, powerhouses and locks at or near Long Sault island, for the purpose of improving the navigation of the St. Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|---------|----------|--------|
| Agnew | Cullen | Gates | Knapp | Smith |
| Allds | Dunn | Grady | McCarren | Tully |
| Armstrong | Emerson | Grattan | O'Neil | Wemple |
| Burr | Fancher | Harte | Owens | White |
| Cassidy | Franchot | Heacock | Page | Wilcox |
| Cobb | Frawley | Hooker | Raines | |

FOR THE NEGATIVE.

| | | | | |
|-----------|---------|-----------|--------|--------|
| Carpenter | Foelker | Hasenflug | Taylor | Travis |
| Cohalan | Fuller | McCall | | |

8

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1734, Rec. No. 398) entitled "An act

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | Wemple |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | | | |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1747, Rec. No. 484) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | Wemple |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | | | |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1867, Rec. No. 419) entitled "An act to revise and amend the charter of the city of Jamestown," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 661, Rec. No. 358) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district No. 7 of the town of Groveland, Livingston county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | Wemple |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | | | |

42

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1459, Rec. No. 265) entitled "An act to provide for a department of public instruction in the city of Syracuse," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |

to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relative to ordinances enacted by the common council, and the enforcement thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | Wemple |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | | | |

. Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1751, Rec. No. 380) entitled "An act to amend the Labor Law, relative to hours of labor on street surface and elevated railroads in cities of the first and second class." was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | Wemple |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | | | |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 661, Rec. No. 358) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district No. 7 of the town of Groveland, Livingston county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | Wemple |
| Cassidy | Franchot | Heacock | Raines | White |
| Cobb | Frawley | Hooker | Smith | Wilcox |
| Cohalan | Fuller | | | |

42

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1459, Rec. No. 265) entitled "An act to provide for a department of public instruction in the city of Syracuse," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCall | Sohmer |
| Agnew | Cullen | Gilchrist | McCarren | Taylor |
| Allds | Dunn | Grady | Mullaney | Thompson |
| Armstrong | Emerson | Grattan | O'Neil | Travis |
| Burr | Fancher | Harte | Owens | Tully |

legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cohalan | Fuller | McCall | Sohmer |
| Agnew | Cordts | Gates | McCarren | Taylor |
| Allds | Cullen | Gilchrist | Mullaney | Thompson |
| Armstrong | Dunn | Grady | O'Neil | Travis |
| Boyce | Emerson | Grattan | Owens | Tully |
| Burr | Fancher | Harte | Page | Wemple |
| Carpenter | Foelker | Hasenfug | Raines | White |
| Cassidy | Franchot | Heacock | Smith | Wilcox |
| Cobb | Frawley | Hooker | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 223, Int. No. 216) entitled "An act making an appropriation for the quarantine station at Hoffman island," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cohalan | Fuller | McCall | Sohmer |
| Agnew | Cordts | Gates | Mullaney | Taylor |
| Allds | Cullen | Gilchrist | O'Neil | Thompson |
| Armstrong | Dunn | Grady | Owens | Travis |
| Boyce | Emerson | Grattan | Page | Tully |
| Burr | Fancher | Harte | Raines | Wemple |
| Carpenter | Foelker | Hasenfug | Saxe | White |
| Cassidy | Franchot | Heacock | Smith | Wilcox |
| Cobb | Frawley | Hooker | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 701, Int. No. 591) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district No. 5 of the town of Smithtown, Sullivan county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cohalan | Fuller | McCall | Sohmer |
| Agnew | Cordts | Gates | McCarren | Taylor |
| Allds | Cullen | Gilchrist | Mullaney | Thompson |
| Armstrong | Dunn | Grady | O'Neil | Travis |
| Boyce | Emerson | Grattan | Owens | Tully |
| Burr | Fancher | Harte | Page | Wemple |
| Carpenter | Foelker | Hasenflug | Raines | White |
| Cassidy | Franchot | Heacock | Smith | Wilcox |
| Cobb | Frawley | Hooker | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1102, Int. No. 871) entitled "An act to release certain State lands to the city of Middletown and town of Wallkill, respectively, in the county of Orange, upon certain conditions," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof. as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cohalan | Fuller | McCall | Sohmer |
| Agnew | Cordts | Gates | McCarren | Taylor |
| Allds | Cullen | Gilchrist | Mullaney | Thompson |
| Armstrong | Dunn | Grady | O'Neil | Travis |
| Boyce | Emerson | Grattan | Owens | Tully |
| Burr | Fancher | Harte | Page | Wemple |
| Carpenter | Foelker | Hasenflug | Raines | White |
| Cassidy | Franchot | Heacock | Smith | Wilcox |
| Cobb | Frawley | Hooker | | |

44

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1637, Senate reprint No. 1259, Rec. No. 367) entitled "An act to amend the Primary Election Law, in relation to excepting first, second and third class cities from special enrollment and changing date when enrollment books shall be delivered," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|-----------|----------|
| Ackroyd | Cobb | Franchot | Hasenflug | Raines |
| Agnew | Cordts | Frawley | Heacock | Smith |
| Allds | Cullen | Fuller | Hooker | Taylor |
| Armstrong | Dunn | Gates | McCarren | Thompson |
| Boyce | Emerson | Gilchrist | Mullaney | Travis |
| Burr | Fancher | Grady | Owens | Tully |
| Carpenter | Foelker | Grattan | Page | Wilcox |
| Cassidy | | | | |

36

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1248, Int. No. 826) entitled "An act to repeal chapter 133 of the Laws of 1902, entitled 'An act to provide for the election and to provide the terms and compensation of the town trustees of the town of Southampton, in the county of Suffolk, and legalizing payment of compensation to the present and former trustees,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cohalan | Fuller | McCall | Sohmer |
| Agnew | Cordts | Gates | McCarren | Taylor |
| Allds | Cullen | Gilchrist | Mullaney | Thompson |
| Armstrong | Dunn | Grady | O'Neil | Travis |
| Boyce | Emerson | Grattan | Owens | Tully |
| Burr | Fancher | Harte | Page | Wemple |
| Carpenter | Foelker | Hasenflug | Raines | White |
| Cassidy | Franchot | Heacock | Smith | Wilcox |
| Cobb | Frawley | Hooker | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 154, Senate reprint No. 1268, Rec. No. 196) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to actions by wage earners," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cohalan | Fuller | McCall | Sohmer |
| Agnew | Cordts | Gates | McCarren | Taylor |
| Allds | Cullen | Gilchrist | Mullaney | Thompson |
| Armstrong | Dunn | Grady | O'Neil | Travis |
| Boyce | Emerson | Grattan | Owens | Tully |
| Burr | Fancher | Harte | Page | Wemple |
| Carpenter | Foelker | Hasenflug | Raines | White |
| Cassidy | Franchot | Heacock | Smith | Wilcox |
| Cobb | Frawley | Hooker | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 1381, Senate reprint No. 1258, Rec. No. 236) entitled "An act to amend the Penal Code, in relation to the punishment of children under sixteen years of age," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cobb | Frawley | Hooker | Sohmer |
| Agnew | Cordts | Fuller | McCarren | Taylor |
| Allds | Cullen | Gates | Mullaney | Thompson |
| Armstrong | Dunn | Gilchrist | O'Neil | Travis |
| Boyce | Emerson | Grady | Owens | Tully |
| Burr | Fancher | Grattan | Page | White |
| Carpenter | Foelker | Hasenflug | Raines] | Wilcox |
| Cassidy | Franchot | Heacock | Smith | |

39

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1257, Int. No. 848) entitled "An act to amend the Insanity Law, relative to the erection, alteration, repairs and improvements of State hospital buildings," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cobb | Frawley | Hooker | Sohmer |
| Agnew | Cordts | Fuller | McCarren | Taylor |
| Allds | Cullen | Gates | Mullaney | Thompson |
| Armstrong | Dunn | Gilchrist | O'Neil | Travis |
| Boyce | Emerson | Grady | Owens | Tully |
| Burr | Fancher | Grattan | Page | White |
| Carpenter | Foelker | Hasenflug | Raines | Wilcox |
| Cassidy | Franchot | Heacock | Smith | |

39

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1274, Int. No. 861) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' " was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Frawley | Hooker | Smith |
| Agnew | Cordts | Fuller | McCarren | Sohmer |
| Allds | Cullen | Gates | Mullaney | Taylor |
| Armstrong | Dunn | Gilchrist | O'Neil | Thompson |
| Boyce | Emerson | Grady | Owens | Travis |
| Burr | Fancher | Grattan | Page | Tully |
| Carpenter | Foelker | Hasenflug | Raines | White |
| Cassidy | Franchot | Heacock | Ramsperger | Wilcox |
| Cobb | | | | |

41

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 842, Senate reprint No. 1265, Rec. No. 108) entitled "An act to provide for the construction of intercepting sewers in and for the city of Syracuse," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cohalan | Frawley | Hooker | Smith |
| Agnew | Cordts | Fuller | McCarren | Sohmer |
| Allds | Cullen | Gates | Mullaney | Taylor |
| Armstrong | Dunn | Gilchrist | O'Neil | Thompson |
| Boyce | Emerson | Grady | Owens | Travis |
| Burr | Fancher | Grattan | Page | Tully |
| Carpenter | Foelker | Hasenflug | Raines | White |
| Cassidy | Franchot | Heacock | Ramsperger | Wilcox |
| Cobb | | | | |

41

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 1635, Senate reprint No. 1261, Rec. No. 394) entitled "An act in relation to the County Court of Kings county and the appointment of a chief clerk and deputies and assistants therein," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|------------|----------|
| Ackroyd | Cobb | Frawley | Hooker | Smith |
| Agnew | Cohalan | Fuller | McCarren | Sohmer |
| Allds | Cordts | Gates | Mullaney | Taylor |
| Armstrong | Cullen | Gilchrist | O'Neil | Thompson |
| Boyce | Dunn | Grady | Owens | Travis |
| Burr | Emerson | Grattan | Page | Tully |
| Carpenter | Foelker | Hasenflug | Raines | White |
| Cassidy | Franchot | Heacock | Ramsperger | Wilcox |

40

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 1050, Senate reprint No. 1262, Rec. No. 305) entitled "An act to amend the Election Law, in relation to changing election districts in certain towns," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|----------|-----------|----------|----------|
| Ackroyd | Cobb | Frawley | Hooker | Smith |
| Agnew | Cohalan | Fuller | Knapp | Sohmer |
| Allds | Cordts | Gates | McCarren | Taylor |
| Armstrong | Cullen | Gilchrist | Mullaney | Thompson |
| Boyce | Dunn | Grady | O'Neil | Travis |
| Burr | Emerson | Grattan | Owens | Tully |
| Carpenter | Foelker | Hasenflug | Page | White |
| Cassidy | Franchot | Heacock | Raines | Wilcox |

40

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1254, Int. No. 326) entitled "An act to amend section 401 of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cobb | Frawley | Hooker | Smith |
| Agnew | Cohalan | Fuller | McCarren | Sohmer |
| Allds | Cordts | Gates | Mullaney | Taylor |
| Armstrong | Cullen | Gilchrist | O'Neil | Thompson |

| | | | | | |
|-----------|----------|-----------|------------|--------|----|
| Boyce | Dunn | Grady | Owens | Travis | |
| Burr | Emerson | Grattan | Page | Wemple | |
| Carpenter | Foelker | Hasenflug | Raines | White | |
| Cassidy | Franchot | Heacock | Ramsperger | Wilcox | 40 |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

Mr. Page moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was determined in the affirmative.

By direction of the President, the Clerk called the roll, when the following Senators responded:

| | | | | | |
|-----------|----------|-----------|----------|----------|----|
| Ackroyd | Cohalan | Fuller | Hooker | Smith | |
| Agnew | Cordts | Gates | McCall | Sohmer | |
| Allds | Cullen | Gilchrist | McCarren | Taylor | |
| Armstrong | Dunn | Grady | Mullaney | Thompson | |
| Burr | Fancher | Grattan | O'Neil | Travis | |
| Carpenter | Foelker | Harte | Owens | Tully | |
| Cassidy | Franchot | Hasenflug | Page | White | |
| Cobb | Frawley | Heacock | Raines | Wilcox | 40 |

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the Senate with Mr. Wemple, who was excused.

Mr. Foelker moved that all further proceedings under the call of the Senate be suspended.

The Assembly bill (No. 1515, Rec. No. 310) entitled "An act to amend the Transportation Corporations Law, in relation to the corporations for the generation and distribution of music electrically," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the negative, a majority of all the Senators elected not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | | |
|-----------|---------|----------|--------|--------|----|
| Ackroyd | Cassidy | Gates | O'Neil | Travis | |
| Agnew | Cobb | Grady | Page | Tully | |
| Armstrong | Cordts | Grattan | Raines | White | |
| Burr | Dunn | Heacock | Smith | Wilcox | |
| Carpenter | Emerson | McCarren | | | 23 |

FOR THE NEGATIVE.

| | | | | | |
|---------|----------|-----------|----------|----------|----|
| Cohalan | Franchot | Gilchrist | McCall | Taylor | |
| Cullen | Frawley | Harte | Mullaney | Thompson | |
| Foelker | Fuller | Hasenflug | Owens | | 14 |

Mr. Page moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill (No. 1496, Rec. No. 328) entitled "An act to equalize the salaries of the court officers and messengers of the Kings county Surrogate's Court with the court attendants of the County Court of Kings county," having been announced for third reading, Mr. Foelker moved that said bill be recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Strike out all of section 1 and insert the following:

"Section 1. That on and after the passage of this act the salaries of the court officers and messenger of the surrogate's court of Kings county shall be at the rate of fifteen hundred dollars per annum, and the salary of special officer shall be at the rate of eighteen hundred dollars per annum."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tully, from the committee on internal affairs of towns and counties, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly bill (No. 1389, Rec. No. 252) entitled "An act to amend the Greater New York charter, relative to punishment of persons causing fires in stovepipes, chimney or flue," having been announced for third reading, Mr. Sohmer moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 15, after the word "the" insert the words "fire department shall determine the responsibility therefor, as between the" and strike out the brackets before and after the word "occupant".

Same page, line 6, after the word "appertains" insert the words "and whoever may be so found responsible".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered re-printed and placed on the order of third reading.

Mr. White then moved that said bill, as amended, be recommitted to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gates offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill (No. 545, Int. No. 471) entitled "An act to amend chapter 63 of the Laws of 1902, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. McCarren offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill (No. 127, Int. No. 125) entitled "An act to amend the Greater New York charter, relative to the salary of the clerk for the Children's Court, Second Division, borough of Brooklyn," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Mullaney offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the mayor of the city of New York, requesting the return to the Senate of Senate bill (No. 761, Int. No. 177) entitled "An act to amend the Greater New York charter by enacting a new section, to be known as section 823-e, relative to the acquirement of certain water front property between Montgomery street and East Sixteenth street, on the East river, borough of Manhattan, city of New York," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said resolution to the mayor of the city of New York.

Mr. Cobb moved that the Senate bill (No. 445, Int. No. 121) entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses," be made a special order in general orders, immediately after the "Messages from the Assembly."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gilchrist moved that the Assembly bill (No. 1339, Rec. No. 304), entitled "An act to amend the Domestic Relations Law, in relation to marriage by written agreement," be made a special order in general orders, immediately after the foregoing special order.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ackroyd moved that the committee on affairs of cities be discharged from the consideration of Senate bill (No. 613, Int. No. 528) entitled "An act to amend and consolidate the several

acts relating to the department of public instruction in the city of Utica, N. Y.," and that said bill be amended, reprinted and re-committed to the committee on affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate bill (No. 462, Int. No. 408) entitled "An act to provide for the indexing of the records and maps of the county of Westchester, affecting title to real estate now within the county of New York, heretofore deposited or filed in the office of the register of the county of New York," was returned by the mayor of the city of New York, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had not accepted the same.

Mr. Grady moved that the said bill, with the accompanying message of the mayor, be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hooker offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the Senate bill (No. 679, Int. No. 588) entitled "An act to amend the Railroad Law, in relation to consents of local authorities," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

(1) Senate (No. 170, Int. No. 164), entitled "An act to amend the Greater New York charter, relative to the pension fund of the fire department."

(2) Assembly (No. 1130, Rec. No. 173), entitled "An act to amend the Greater New York charter, relative to the acquirement

and operation of ferries and the acquirement of property therefor."

(3) Senate (No. 1170, Int. No. 836), entitled "An act to amend section 12 of the Forest, Fish and Game Law, as amended by section 2 of chapter 580 of the Laws of 1904."

(4) Senate (No. 1255, Int. No. 38), entitled "An act to amend the Labor Law and repeal chapter 9 of the Laws of 1901, relative to the organization of the department of labor."

(5) Senate (No. 736, Int. No. 620), entitled "An act to authorize the extension of Riverside park in the city of New York by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as the Robert Fulton Monument Association of the City of New York."

(6) Senate (No. 794, Int. No. 666), entitled "An act to amend the University Law, relative to libraries."

(7) Assembly (No. 1127, Rec. No. 156), entitled "An act to amend the Greater New York charter, in relation to pensions to dependent parents of members of the police force."

(8) Assembly (No. 384, Rec. No. 347), entitled "An act to amend the Real Property Law, relative to discharge of mortgages in counties embraced in cities of the first class."

(9) Assembly (No. 1285, Rec. No. 453), entitled "An act to amend the Greater New York charter, in relation to the powers of the borough presidents and of the president of the board of aldermen."

(10) Assembly (No. 2096, Senate reprint No. 1272, Rec. No. 518), entitled "An act to regulate the practice of medicine, and to repeal article 8 of chapter 661 of the Laws of 1893 and acts amendatory thereof."

(11) Senate (No. 1243, Int. No. 953), entitled "An act to establish school district No. 1 in the town of Ossining in Westchester county, as a union free school district, to fix the boundaries of such district, to create its board of education a body corporate and to provide for the number, qualifications, appointment and election of the members of such board."

(12) Assembly (No. 1017, Rec. No. 551), entitled "An act to provide for the taxation of school purposes of the lands owned

by the State and situated within the boundaries of school districts in the towns of Hyde Park and Poughkeepsie, Dutchess county, N. Y."

(13) Assembly (No. 1791; Rec. No. 401), entitled "An act to amend the Greater New York charter, relative to powers and duties of borough presidents."

(14) Assembly (No. 1890, Rec. No. 461), entitled "An act to authorize the city of Little Falls, N. Y., to enlarge, improve and perfect its supply of pure and wholesome water and to issue bonds to raise money for such purpose."

After some time spent therein, the President resumed the chair, and Mr. Tully, from said committee, reported in favor of the passage of the above-named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Armstrong moved that the Assembly bill (No. 2096, Senate reprint No. 1272, Rec. No. 518) entitled "An act to regulate the practice of medicine, and to repeal article 8 of chapter 661 of the Laws of 1893, and acts amendatory thereof," be made a special order on the order of third reading immediately after "Messages from the Assembly" on Tuesday, April 23.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the Senate bill (No. 859, Int. No. 717) entitled "An act to change the name of 'Home of the Friendless of Schenectady' to 'Old Ladies' Home of Schenectady,'" with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The President presented the report of the Eastern New York Reformatory, which was laid upon the table and ordered printed.

(See Document.)

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

FRIDAY, APRIL 19, 1907.

The Senate met pursuant to adjournment.

The Temporary President in the chair.

Prayer by Rev. F. S. Sill.

The journal of yesterday was read and approved.

Mr. Cobb introduced a bill (Int. No. 1010) entitled "An act to prescribe regulations for the review of apportionments by the Legislature or other bodies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tully introduced a bill (Int. No. 1011) entitled "An act to amend the Code of Civil Procedure, in relation to awarding costs to an unsuccessful contestant of a will," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Mr. Knapp introduced a bill (Int. No. 1012) entitled "An act to amend the State Printing Law, relative to printing of legislative journals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly sent for concurrence the bill (No. 2025, Rec. No. 618) entitled "An act providing for State aid to towns under the money system which have failed to levy assessments for poll taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2269, Rec. No. 619) entitled "An act to amend the Railroad Law, in relation to rates of fare," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 1317, Rec. No. 620) entitled "An act for the promotion of agriculture and making an appropriation therefor," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 2224, Rec. No. 621) entitled "An act to

amend the Greater New York charter, in relation to street improvements in certain wards of the city, and to provide for the raising of money and the levy and collection of special assessments therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2303, Rec. No. 622) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for wild fowls in certain parts of the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 2268, Rec. No. 623) entitled "An act to amend chapter 471 of the Laws of 1905, entitled 'An act to authorize the city of New Rochelle to borrow money for street improvements and issue bonds therefor,' relative to the rate of interest to be paid on bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 971, Rec. No. 624) entitled "An act to amend the Military Code, in relation to the compensation of day laborers employed by the adjutant general," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on military affairs.

Also, the bill (No. 2205, Rec. No. 625) entitled "An act to abolish the board of park commissioners in and for the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2202, Rec. No. 626) entitled "An act to authorize the mayor of the city of Utica to appoint a commission to investigate plans for developing or acquiring a municipal water supply for said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2275, Rec. No. 627) entitled "An act to authorize the Comptroller of the State to hear and determine the application of May R. De Silva, for the cancellation of the 1895

tax sale of lot 41, great lots 7 and 10, Darling's first survey, Hardenburgh patent, in the county of Ulster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 2278, Rec. No. 628) entitled "An act to authorize the Comptroller of the State to hear and determine the application of Rawson L. Hayes for redemption from the tax sales made by the Comptroller in 1877 and 1881 upon lot No. 164 in township 11, old military tract, Essex county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 1392, Rec. No. 629) entitled "An act to amend the Penal Code in relation to the punishment of persons convicted of the crime of extortion and blackmail," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2220, Rec. No. 630) entitled "An act to amend the Code of Civil Procedure generally and repealing sections 978 and 979 thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2248, Rec. No. 631) entitled "An act to provide for the appointment of a State commission of prisons, and defining its powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 2270, Rec. No. 632) entitled "An act to amend the Greater New York charter, relative to salaries of the members of the fire department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2221, Rec. No. 633) entitled "An act to amend chapter 518 of the Laws of 1867, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains," passed April 3, 1866,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill (No. 2304, Rec. No. 634) entitled "An act to

amend the Greater New York charter, relative to proceedings taken by commissioner of docks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2302, Rec. No. 635) entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown,' in relation to the liability of the city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1882, Rec. No. 636) entitled "An act to amend the Lien Law, in relation to the discharge of a bond or undertaking," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 937, Rec. No. 268) entitled "An act in relation to claims against the village of Ellenville for damages for personal injury or injury to property," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 248, Rec. No. 91) entitled "An act to provide for the pensioning of Mary Hedeman, mother of Patrolman William Hedeman, deceased," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly,

with a message that the Senate has concurred in the passage of the same.

Mr. Tully, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill introduced by Mr. Weber (No. 988, Rec. No. 366), entitled "An act in relation to servers of jury notices in the office of commissioner of jurors of the county of Kings," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

The Assembly returned the Assembly bill (No. 1516, Senate reprint No. 1202, Rec. No. 294) entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream."

Also, Assembly bill (No. 993, Senate reprint No. 847, Rec. No. 201) entitled "An act in relation to certain grade crossings in the city of Utica."

Also, Assembly bill (No. 1273, Senate reprint No. 1167, Rec. No. 243) entitled "An act to provide for a commission to investigate the condition of the national guard of the State of New York."

Also, Assembly (No. 870, Senate reprint No. 1221, Rec. No. 200) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying therefor," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the Senate bill (No. 1223, Int. No. 690) entitled "An act to amend chapter 617 of the Laws of 1868, entitled 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' generally."

Also, Senate bill (No. 1062, Int. No. 846) entitled "An act to legalize and confirm certain proceedings of the biennial town meeting of the town of Lima, in the county of Livingston, held on the 12th day of March, 1907," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate bill (No. 840, Int. No. 704) entitled "An act to provide for a police pension fund for the police force of the city of Watertown," was returned by the mayor of the city of Watertown with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Armstrong moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

MONDAY, APRIL 22, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. H. C. Colebrook.

The journal of Friday, April 19th, was read and approved.

Mr. Fuller introduced a bill (Int. No. 1013) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain moneys paid for taxes for the years 1901, 1902 and 1903, affecting property situate in the borough of Brooklyn, in the city of New York, now belonging to and upon which is erected the church edifice of the Fourth Unitarian Congregational Church of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hasenflug introduced a bill (Int. No. 1014) entitled "An act to legalize the acts of Conrad F. Dietrick, a notary public," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hasenflug, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Gilchrist introduced a bill (Int. No. 1015) entitled "An act to authorize the commissioners of the sinking fund of the city

of New York to cancel and annul certain taxes, assessments and water rates now existing liens against and affecting property situated in the borough of Brooklyn, city of New York, belonging to Saint Malachy's Roman Catholic Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Frawley introduced a bill (Int. No. 1016) entitled "An act to regulate street peddling in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Carpenter introduced a bill (Int. No. 1017) entitled "An act to enable and empower the village of Rye, in the county of Westchester, to expend for the purchase and acquisition of real property within the territorial limits of the said village, for a public park, a sum of money not exceeding $2\frac{1}{2}$ per cent. of the value of the taxable property of the village, as appears by the last preceding assessment-roll, and to establish, manage and maintain such park," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill (Int. No. 1018) entitled "An act to empower the common council of the city of New Rochelle to issue and sell bonds for the purpose of defraying the expense of certain public improvements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Taylor introduced a bill (Int. No. 1019) entitled "An act to amend the Code of Civil Procedure, relating to matrimonial actions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, a bill (Int. No. 1020) entitled "An act to amend the Insanity Law relative to the salary of firemen employed in State hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, a bill (Int. No. 1021) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the

improvement of public highways,' in relation to maintenance of highways improved under said act in relation to the bridges thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, a bill (Int. No. 1022) entitled "An act to incorporate the city of Port Jervis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Smith introduced a bill (Int. No. 1023) entitled "An act to amend the Railroad Law, in relation to location of route," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Ackroyd introduced a bill (Int. No. 1024) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to connecting roads and through incorporated villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Wilcox introduced a bill (Int. No. 1025) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William H. Bahn against the State of New York, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McManus introduced a bill (Int. No. 1026) entitled "An act to amend the Election Law, in relation to the use of voting machines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McCarren introduced a bill (Int. No. 1027) entitled "An act to amend the Tenement House Act, in relation to buildings of a certain character," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fancher introduced a bill (Int. No. 1028) entitled "An

act to authorize the city of Olean to acquire the reversionary interest and estate in the lands constituting the public square in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 1029) entitled "An act to authorize the city of Olean to sell and convey to the United States of America a portion of the public square in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Allds introduced a bill (Int. No. 1030) entitled "An act to authorize the completion of a dike for the protection of property adjacent to the Delaware river in the village of Barryville and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly sent for concurrence the bill (No. 2262, Rec. No. 637) entitled "An act to amend the Labor Law, relative to hours of labor of certain employees on railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 2209, Rec. No. 638) entitled "An act to provide for the collection and enforcement of State and county taxes in the city of Troy, and for the sale of lands for unpaid state and county taxes in the county of Rensselaer and to legalize and confirm the acts of the county treasurer of Rensselaer county and of other officials of said county in regard to the collection and enforcement of State and county taxes in the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2197, Rec. No. 639) entitled "An act to amend chapter 190 of the Laws of 1878, entitled 'An act to protect the sea side boulevard and meadows adjacent thereto on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York,' in relation to the removal of sand, earth or clay," which was read the first time, and by unanimous consent was also read

the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That the Legislature adjourn without date on Thursday, May 9, 1907, at 2 p. m.

Ordered, That said resolution be referred to the committee on finance.

A message from the Assembly was received, in the words following:

IN ASSEMBLY, April 10, 1907.

Pursuant to concurrent resolution of Senate and Assembly, the Governor returned the Assembly bill (No. 769, Senate reprint No. 723, Assembly reprint No. 2223, Rec. No. 81) entitled "An act to amend the highway laws in relation to exempting certain counties from the poll tax."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Wainwright, said bill was recommitted to the committee on internal affairs of towns and counties, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 17, strike out all of the line after the word "and" and the words "Suffolk and Westchester" on line 18.

Page 2, line 21, after the word "indicated" insert "provided however, that the board of supervisors of any county may, by resolution, determine that the poll tax prescribed by this section shall not thereafter be levied in such county."

Said bill as amended was read the third time and passed, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

By order,

A. E. BAXTER,

Clerk.

Mr. Carpenter moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grady | McCarren | Smith |
| Allde | Cullen | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Emerson | Hasenflug | O'Neil | Thompson |
| Burr | Foelker | Heacock | Owens | Travis |
| Carpenter | Frawley | Hill | Page | Tully |
| Cassidy | Fuller | Hooker | Raines | White |
| Cobb | Gates | Knapp | Ramsperger | Wilcox |
| Cohalan | Gilchrist | McCall | Saxe | |

44

Said bill, as amended, was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Grady | McCarren | Smith |
| Armstrong | Davis | Grattan | McManus | Sohmer |
| Boyce | Dunn | Harte | Mullaney | Taylor |
| Burr | Emerson | Hasenflug | O'Neil | Thompson |
| Carpenter | Foelker | Heacock | Owens | Travis |
| Cassidy | Frawley | Hill | Page | Tully |
| Cobb | Fuller | Hooker | Raines | White |
| Cohalan | Gates | Knapp | Ramsperger | Wilcox |
| Cordts | Gilchrist | McCall | Saxe | |

44

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, as amended.

A message from the Assembly was received, in the words following:

IN ASSEMBLY, April 10, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill (No. 1268, Senate reprint No. 958, reprint No. 2300, Rec. No. 212) entitled "An act creating the office of county attorney."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Dudley, said bill was recommitted to the committee on internal affairs of towns and counties with instructions to said committee to report the same forthwith, amended as follows:

Amend the title by striking out "in and for certain counties".

Page 1, strike out beginning with "each" in line 1 down to and including "Monroe" in line 2 and insert "any county".

Page 1, line 5, strike out "the" and insert "a".

Page 1, lines 6 and 7, strike out "of each of such counties".

Page 2, line 2, after "county" strike out balance of line and all of line 3.

Said bill as amended was read the third time and passed, having been printed and upon the desks of the members in its final form at least three calendar days prior to its final passage.

By order,

A. E. BAXTER,
Clerk.

Mr. Wilcox moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Ackroyd | Cullen | Harte | McManus | Smith |
| Armstrong | Dunn | Hasenfug | Mullaney | Sohmer |
| Boyce | Emerson | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Thompson |
| Carpenter | Frawley | Hooker | Page | Travis |
| Cassidy | Fuller | Knapp | Raines | Tully |
| Cobb | Gilchrist | McCall | Ramsperger | White |
| Cohalan | Grady | McCarren | Saxe | Wilcox |
| Cordts | Grattan | | | |

42

Said bill, as amended, was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Smith |
| Allde | Cullen | Harte | Mullaney | Sohmer |
| Armstrong | Dunn | Hasenfug | O'Neil | Taylor |
| Boyce | Emerson | Heacock | Owens | Thompson |
| Burr | Foelker | Hill | Page | Travis |
| Carpenter | Frawley | Hooker | Raines | Tully |
| Cassidy | Fuller | Knapp | Ramsperger | White |
| Cobb | Gilchrist | McCall | Saxe | Wilcox |
| Cohalan | Grady | McCarren | | |

43

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, as amended.

The Assembly returned the bill (No. 713, Assembly reprint No. 2246, Int. No. 603) entitled "An act to amend the Agricultural Law, in relation to the suppression of infectious and contagious diseases of domestic animals," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 26, after the word "inspection" remove the period and insert a comma, and remove the bracket.

Page 2, line 3, after the word "inspection" insert the following new matter: "so far as the same shall relate to making advance reports to the commissioner of agriculture. But parties importing or receiving such cattle at such places shall give such information to the commissioner of agriculture as he may from time to time request relative to such cattle so imported."

Mr. Cobb moved that the Senate concur in said amendments.

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill as amended, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|----------|------------|
| Ackroyd | Cordts | Grady | McCall | Ramsperger |
| Allds | Cullen | Grattan | McCarren | Saxe |
| Armstrong | Dunn | Harte | McManus | Smith |
| Boyce | Emerson | Hasenflug | Mullaney | Sohmer |
| Burr | Foelker | Heacock | O'Neil | Thompson |
| Carpenter | Frawley | Hill | Owens | Travis, |
| Cassidy | Fuller | Hooker | Page | Tully |
| Cobb | Gilchrist | Knapp | Raines | Wilcox |
| Cohalan | | | | |

41

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the amendments of the Assembly thereto.

The Assembly returned the bill (No. 285, Assembly reprint No. 2222, Int. No. 100) entitled "An act to amend chapter 185

of the Laws of 1906, entitled 'An act to revise the charter of the city of Auburn,' " with a message that they have concurred in the passage of the same, with the following amendments:

Page 8, section 95, strike out all of section and insert new section 95, to read as follows:

Section 95. The commissioner of public works may grade, re-grade, pave, repave, flag, reflag, macadamize or cover with hard material, and improve and repair streets, highways, alleys, public lanes, and squares in said city. The expense of all street repairs shall be paid out of and from money set apart by the board of estimate and control and the common council. The common council may on or before May first of each year determine to flush and sprinkle all the streets in said city, in which case the board of estimate and control shall appropriate in the annual tax budget sufficient funds for that purpose to be raised by general tax, and to be expended under the direction of the commissioner of public works. If the common council shall not so determine to flush and sprinkle all the streets of the city, then, in that event flushing and sprinkling may be done under the special act known as chapter one hundred and ten of the laws of eighteen hundred and ninety-five, and the expense thereof be borne by the property benefited as provided in said special act. In proceedings for paving or repaving a street or any part thereof (other than repairs) such paving or repaving shall include, when needed, the relaying of sidewalks to proper grade, making lawns between sidewalk and gutter to conform to said grade, the furnishing, grading for and setting or resetting of the curb and gutter, on both sides of the street. When a street or any part thereof is paved or repaved (excepting repairs) and completed, the common council shall determine the aggregate cost of the improvement, including the relaying of sidewalks, to proper grade, making lawns between sidewalk and gutter conform to said grade, furnishing, grading for, setting and resetting of curbs and gutters, and shall direct the payment thereof from the paving fund. And the commissioner of public works may appoint such inspectors as he shall deem necessary to oversee the performance of any of the work or improvements provided for in this section and may fix their compensation.

Page 15, line 5, after the word "council" insert "May determine and order that the cost of the construction of such disposal plant shall be paid for by the city at large, or it".

Page 15, line 11, after the word "large" insert "or in case the common council shall so determine and order, without submission to a vote of the taxpayers".

Page 1, line 6, strike out the word "repealed" and insert "amended to read as follows, any resolution determining that a public improvement be made, shall require, for adoption, a majority vote of all the common council".

Page 3, line 7, at end of bracket, insert "and adopt by a majority vote of all the common council, the estimate as presented or as thus amended".

Page 7, line 12, after bracket, insert "and adopt by a majority vote of all the common council, the estimate as presented or as thus amended".

Page 7, line 21, strike out the word "time".

Page 1, line 3, strike out "any resolution" and insert in place thereof "is hereby amended to read as follows:

Sec. 22. [Any resolution authorizing the appropriation of money for a public improvement shall require the concurring vote of seven aldermen.] "

Page 1, strike out lines 4 and 5 and the words "amended to read as follows:" on line 6.

Page 1, line 6, italicize "any resolution determining that a".

Page 1, italicize lines 7 and 8.

Page 2, line 3, strike out "so as".

Page 2m, line 22, after "purposes" italicize comma.

Page 2m, line 23, after "music" semi-colon not in italics.

Page 3, italicize line 10 and the words "estimate as presented or as thus amended," on line 11.

On page 4, line 1, strike out "so as".

Page 4, line 21, strike out "so as".

Page 6, line 23, strike out "so as".

Page 7, line 15, italicize "and adopt by a majority vote of all the".

Page 7, italicize line 16 and the word "amended" on line 17.

Page 8, line 3, strike out second "s" in "purposes". Same page and line, after "purposes" insert comma.

Page 8, line 6, after "control" insert comma.

Page 8, line 24, strike out "so as".

Page 9 line 23, after "improvement" strike out comma.

Page 10, line 7, strike out "so as".

Page 10, line 12, after "done" insert "by or".

Page 16 line 6, strike out "so".

Page 16, line 7, strike out "as".

Page 16, line 23, strike out "so as".

Page 18 line 2, strike out "so as".

Mr. Wilcox moved that the Senate concur in said amendments.

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill as amended, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Harte | McManus | Smith |
| Armstrong | Dunn | Hasenflug | Mullaney | Sohmer |
| Boyer | Emerson | Heacock | O'Neil | Taylor |
| Burr | Foelker | Hill | Owens | Thompson |
| Carpenter | Frawley | Hooker | Page | Travis |
| Cassidy | Gilchrist | Knapp | Raines | Tully |
| Cobb | Grady | McCall | Ramsperger | White |
| Cohalan | Grattan | McCarren | Saxe | Wilcox |
| Cordts | | | | |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the amendments of the Assembly thereto.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Senate bill (No. 1304, Int. No. 806), entitled "An act to establish and maintain a water department in and for the city of Cortland."

Also, Senate bill (No. 700, Int. No. 492) entitled "An act to amend chapter 18 of the general laws, known as the County Law, relative to the issue of town obligations."

Also, Senate bill (No. 869, Int. No. 727) entitled "An act to amend the Banking Law, in relation to the lawful money reserve of banks."

Also, the Senate bill (No. 759, Int. No. 644) entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein, and define its jurisdiction and powers,' generally."

Also, Senate bill (No. 164, Int. No. 85) entitled "An act relating to the publication of judicial proceedings and legal notices in the second judicial department of the State of New York."

Also, Senate bill (No. 471, Int. No. 418) entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish from the waters of Orange lake, in the county of Orange."

Also, the Senate bill (No. 485, Int. No. 431) entitled "An act to amend the Greater New York charter, in relation to appropriations for the Ridgewood day nursery."

Also, Senate bill (No. 494, Int. No. 440) entitled "An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn in the city of New York."

Also, Senate bill (No. 649, Int. No. 560) entitled "An act to amend the Insanity Law, relative to the support and maintenance of patients in State hospitals."

Also, Senate bill (No. 875, Int. No. 731) entitled "An act to repeal section 4 of chapter 490 of the Laws of 1888, entitled 'An act for the incorporation of societies for the prevention of cruelty to animals and to amend sections 656 and 668 of the Penal Code, relating to cruelty to animals.'"

Also, Senate bill (No. 888, Int. No. 740) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain taxes upon property in the city of New York owned by the Harlem Presbyterian Church."

Also, Senate bill (No. 1173, Int. No. 765) entitled "An act to amend the Civil Service Law, relative to examinations."

Also, Senate bill (No. 991, Int. No. 805) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors."

Also, Senate bill (No. 1032, Int. No. 831) entitled "An act to release to Sophie Demers, widow of Joseph Demers, all the right, title and interest of the people of the State of New York in and to certain real estate situated in the town of Altamont, county of Franklin and State of New York, acquired by escheat or otherwise on the death of said Joseph Demers."

Also, Senate bill (No. 1035, Int. No. 834) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 7 of article 7 of the constitution."

Also, Senate bill (No. 1085, Int. No. 863) entitled "An act to amend the Greater New York charter, relative to the classification and instruction of criminals and misdemeanants."

Also, Senate bill (No. 1207, Int. No. 924) entitled "An act to provide for the widening of West First street, otherwise known as West Lincoln avenue, in the city of Mount Vernon, from South Eleventh avenue in said city, to the New York city line, and providing for the expense of said improvement."

Also, Senate bill (No. 1232, Int. No. 942) entitled "An act to amend the General Village Law, in relation to auctioneering, peddling, hawking and selling goods in villages incorporated thereunder."

Also, Senate bill (No. 170, Int. No. 164) entitled "An act to amend the Greater New York charter, relative to the pension fund of the fire department."

Also, Senate bill (No. 1170, Int. No. 836) entitled "An act to amend section 12 of the Forest, Fish and Game Law, as amended by section 2 of chapter 580 of the Laws of 1904."

Also, Senate bill (No. 736, Int. No. 620) entitled "An act to authorize the extension of Riverside park in the city of New York by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the city of New York."

Also, Senate bill (No. 1243, Int. No. 953) entitled "An act to establish school district No. 1 in the town of Ossining in Westchester county as a union free school district, to fix the boundaries of such district, to create its board of education a body corporate and to provide for the number, qualifications, appointment and election of the members of such board."

Also, the bill (No. 1225, Int. No. 531) entitled "An act to revise the charter of the city of North Tonawanda."

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Cobb (No. 1007, Int. No. 822), entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Cobb (No.

1008, Int. No. 823), entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for grouse," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Travis (No. 1123, Int. No. 886), entitled "An act to amend the Forest, Fish and Game Law, relative to private parks," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by Mr. Nevins (No. 1582, Rec. No. 406), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking certain fish in the waters of Silver lake," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Senate bill introduced by Mr. Cobb (No. 1009, Int. No. 824), entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for woodcock," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Leave of absence was granted to Mr. Sullivan until Tuesday.

The Senate resolved itself into a committee of the whole, and proceeded to the consideration of special orders, being the bills entitled as follows:

Senate (No. 445, Int. No. 121), entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses."

After some time spent therein, the President resumed the chair, and Mr. Cohalan, from said committee, reported progress upon the above-named bill, and asked leave to sit again, which report was agreed to.

Mr. Grady moved that said bill and Assembly bill (No. 1339, Rec. No. 304) be made a special order in general orders immediately after the special order, in order of third reading for Tuesday, April 23.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill (No. 1727, Rec. No. 391) entitled "An act to amend the Greater New York charter, relating to the office of coroner," having been announced for third reading, Mr. Foelker moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 15, strike out the word "two" and insert the word "one".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 1300, Int. No. 769) entitled "An act to amend the Tax Law, in relation to the taxation of bank shares," having been announced for third reading, Mr. Saxe moved that said bill be recommitted to the committee on taxation and retrenchment, with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 3, after the word "or" strike out the word "of".

Page 4, line 12, insert a comma after the word "stock".

Same page, line 13, strike out the word "his" and insert the word "its".

Same page, line 20, insert a comma after the word "counties".

Page 6, line 12, strike out the comma after the word "that".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Allds, from the committee on taxation and retrenchment, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly returned the Assembly bill (No. 845, Senate reprint No. 981, Rec. No. 83) entitled "An act making appropriations for the support of government," with a message that

they have nonconcurring in the amendments of the Senate thereto, and request the appointment of a committee of conference thereon.

Mr. Armstrong moved that the Senate concur in the request for a committee of conference.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee, on behalf of the Senate, Messrs. Armstrong, Hill and Fuller.

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has agreed to the request for a committee of conference.

The Assembly returned the Senate bill (No. 429, Int. No. 381) entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property abutting upon Manhattan avenue adjacent to Newtown creek, borough of Brooklyn, in the city of New York, by reason of the construction of the bridge over Newtown creek between Manhattan avenue, in the borough of Brooklyn, and Vernon avenue, in the borough of Queens, and the approaches thereto," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 1046, Int. No. 439) entitled "An act to provide for iron gates for the protection of life on streets leading to the Gowanus canal in the borough of Brooklyn, in the city of New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 730, Int. No. 614) entitled "An act to amend the Greater New York charter, relative to the salary of the commissioner of docks and the deputy commissioner of docks," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 1050, Int. No. 691) entitled "An act authorizing the board of estimate and apportionment of the city of New York in its discretion, to direct that the cost and expense of opening, widening or extending streets in said city for the purpose of using such streets as an approach to bridges connecting the various boroughs of said city, shall be borne and paid by the city of New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 913, Int. No. 754) entitled "An act to amend chapter 572 of the Laws of 1902, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Middletown for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 949, Int. No. 776) entitled "An act to authorize the city of Cohoes to borrow money therefor, and to construct a bridge over the first branch of the Mohawk river, at Ontario street in said city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Cohoes for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 74, Int. No. 74) entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, New York, in constructing sewers in Edson street, Duerstein avenue and Burch avenue, in said town of West Seneca, and making assessments therefor."

Also, Senate bill (No. 1045, Int. No. 151) entitled "An act in relation to the Medical Society of the State of New York."

Also, Senate bill (No. 978, Int. No. 343) entitled "An act to amend chapter 120 of the Laws of 1881, entitled 'An act concerning certain records in the office of the Secretary of State and of the Comptroller,' relative to filing certain election returns and files in the State library."

Also, Senate bill (No. 783, Int. No. 457) entitled "An act to amend the State Charities Law, in relation to the visitations and reports of managers of State charitable institutions."

Also, Senate bill (No. 1137, Int. No. 541) entitled "An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault Island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities."

Also, Senate bill (No. 1018, Int. No. 596) entitled "An act to amend an act entitled 'An act to provide for supplying the village of White Plains with water and authorizing the issue of bonds therefor and to create a board of water commissioners for said village,' being chapter 769 of the Laws of 1896."

Also, Senate bill (No. 754, Int. No. 647) entitled "An act to incorporate the Hebrew Free Loan Association."

Also, Senate bill (No. 1023, Int. No. 654) entitled "An act to amend the County Law in relation to the custody and care of minors in county jails."

Also, Senate bill (No. 989, Int. No. 803) entitled "An act to amend chapter 315 of the Laws of 1895, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' relative to salaries of policemen."

Also, Senate bill (No. 1038, Int. No. 837) entitled "An act to amend the Forest, Fish and Game Law, in relation to the annual compilation of the law," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Senate bill (No. 308, Assembly reprint No. 1819, Int. No. 10) entitled "An act to amend the Labor Law relative to the hours of employment of minors in factories."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 751, Int. No. 637) entitled "An act to amend the charter of the city of Utica in relation to issuing bonds to pay purchases at tax sales and provide a fund for uncollected taxes," was returned by the mayor of the city of Utica with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
ALBANY, April 10, 1907.

To the Senate:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Senate bill (No. 704, Int. No. 594) entitled "An act to amend an act to organize and establish a police department in the village of White Plains, county of Westchester, and State of New York, being chapter 306 of the Laws of 1904, as amended by chapter 165 of the Laws of 1906."

CHARLES E. HUGHES.

Mr. Carpenter moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCall | Saxe |
| Allds | Davis | Grady | McCarren | Smith |
| Armstrong | Dunn | Grattan | McManus | Sohmer |
| Boyce | Emerson | Harte | Mullaney | Taylor |
| Burr | Fancher | Hasenflug | O'Neil | Thompson |
| Carpenter | Foelker | Heacock | Owens | Travis |
| Cassidy | Frawley | Hill | Page | Tully |
| Cobb | Fuller | Hooker | Raines | White |
| Cohalan | Gates | Knapp | Ramsperger | Wilcox |
| Cordts | | | | |

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Mr. Carpenter then moved that said bill be recommitted to the committee on affairs of villages, with the instructions to said

committee to report the same forthwith, amended to read as follows:

"An act to amend chapter three hundred and six of the laws of nineteen hundred and four, entitled 'An act to organize and establish a police department for the village of White Plains, in the county of Westchester and state of New York,' in relation to the number and compensation of members of the police force and the maximum sums to be raised for the expenses of the board of police and police force."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Sections eight and twenty of chapter three hundred and six of the laws of nineteen hundred and four, entitled 'An act to organize and establish a police department for the village of White Plains, in the county of Westchester and state of New York,' as amended by chapter one hundred and sixty-five of the laws of nineteen hundred and six, are hereby amended to read as follows:

§ 8. The said police force shall consist of a captain of police and [not more than fourteen police constables who shall be under the direction of the said commissioners of police] such number of police constables as the said commissioners of police shall deem necessary to appoint. All members of the police force of the said village, as created by chapter two hundred and one of the laws of nineteen hundred and two, shall be transferred to the police force hereby created and shall retain their present rank unless changed or promoted by the commissioners of police. All other members of the force of police hereby created and all vacancies shall be filled by appointment by said board. The said board hereby created shall have power to pass such rules, regulations and orders for the government of the police force as they may deem proper. They shall promulgate all regulations and orders, to the force through the captain of police, who shall have the direction and control of that force subject to the rules and regulations and orders of the board. The treasurer of said board shall execute a bond to the village of White Plains in the penalty of two thousand dollars conditioned for the faithful discharge of his duties as such treasurer. The sureties shall justify and the bond shall be approved by the board of trustees of the village of White Plains and shall be filed in the office of the clerk of said village.

20. The said board of police shall annually, on or before the first day of October make and present to the board of trustees a de-

tailed statement of their receipts and disbursements for the past year and also a statement of their proceedings for a like period, giving in detail the work of the police board and police force, and shall fix and determine the amount of moneys to be raised to pay the expenses of the board and police force by this act established for the year next ensuing and shall make a requisition in detail for the amount so fixed upon the board of trustees of the village of White Plains, but such amount shall not exceed in any one year the sum of [twelve] fifteen thousand dollars, and the board of trustees of the village of White Plains shall annually assess upon the taxable property in said village of White Plains a sum equal to the amount of such requisition in the manner provided by law for assessing, levying and collecting the village taxes within and for said village. The board of trustees of said village shall in their warrant to the collector of taxes of the village of White Plains direct him to pay the treasurer of the board of police such sums as shall have been raised for the support of the board of police and police force. The collector of taxes of the village of White Plains shall collect and deposit such sum in such bank as shall be designated by said board of police to the credit of said board. Any interest or income which may be derived from the police fund shall go to the credit of said fund and a certificate of deposit or other receipt from such bank for any money so deposited shall be a sufficient voucher to said collector for the money stated in such certificate or receipt. The said collector shall report to the board of police as often as they require the amounts of his deposits to the credit of the treasurer of the board. The treasurer shall pay all claims, accounts and demands against said board of police which shall be allowed by said board, and shall render an account of the state of finances to the board as often as they shall require. The treasurer shall publish annually in a newspaper to be named by the board of trustees, published in said village a detailed statement of the receipts and expenditures made by him.

§ 2. Section twenty-three of such chapter is hereby amended to read as follows:

§ 23. The [members of the police force and the different officers named shall respectively receive the following compensation per year for their services: The captain of police, twelve hundred dollars, and the police constables shall be graded as follows: Officers serving their first year shall receive a salary not to exceed six hundred dollars per year, police officers serving their second year shall receive a salary not to exceed seven hundred dollars, and police officers serving their third year shall receive a salary not to exceed eight hundred dollars per year;] said commissioners of

police shall have the power to provide for the appointment of the officers of the said police force or said police constables and fix the compensation of said officers and the police constables in such sum or sums and in such manner as the said commissioners deem best, provided, however, that the compensation so fixed, together with the other expenses of the police department shall not in any one fiscal year exceed the amount appropriated by the board of trustees to the use of said police department for that year in addition to such other sums as may be properly applicable for the maintenance of said department; the treasurer of the board of police shall receive as compensation the sum of one per centum of all moneys paid out by him except moneys paid by him to his successor in office.

§ 3. This act shall take effect immediately.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Carpenter, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Raines moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

TUESDAY, APRIL 23, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. C. A. Richmond.

The journal of yesterday was read and approved.

Mr. Carpenter introduced a bill (Int. No. 1031) entitled "An act to extend the time within which the Danbury and Harlem Traction Company shall finish its road and put it in operation beyond its present construction and operation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, a bill (Int. No. 1032) entitled "An act to authorize the

city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May 1, 1907," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Knapp introduced a bill (Int. No. 1033) entitled "An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Tully introduced a bill (Int. No. 1034) entitled "An act to validate a certain deed of conveyance of land in the city of New York, and authorizing the rector, church wardens and vestrymen of Saint George's Church in the city of New York, to convey the same to the New York Protestant Episcopal City Mission Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cassidy introduced a bill (Int. No. 1035) entitled "An act to amend the Tax Law, in relation to the taxation of rents reserved, and to repeal certain provisions thereof relative thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on taxation and retrenchment.

Mr. Burr introduced a bill (Int. No. 1036) entitled "An act to amend the County Law, in relation to giving board of supervisors authority to fix the compensation of town boards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. McManus introduced a bill (Int. No. 1037) entitled "An act to authorize and empower the board of estimate and apportionment of the city of New York to examine and inquire into and to audit and allow the claims of certain persons for compensation for services for overtime rendered as dock builders and employees of the department of docks in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cobb introduced a bill (Int. No. 1038) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in Erie, Genesee, Wyoming and other counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Mr. Smith introduced a bill (Int. No. 1039) entitled "An act to amend the General Municipal Law, in relation to the investigation of expenditures of counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gates introduced a bill (Int. No. 1040) entitled "An act to amend chapter 394 of the Laws of 1895 entitled 'An act to revise the charter of Oswego,' relative to the powers of policemen of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cohalan introduced a bill (Int. No. 1041) entitled "An act authorizing the qualified electors of the borough of the Bronx of the city of New York to vote upon the question as to whether such borough shall be erected into a separate county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hill introduced a bill (Int. No. 1042) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to interpreter in proceedings before the police court and justice," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Assembly sent for concurrence the bill (No. 1760, Rec. No. 640) entitled "An act to amend the Insurance Law, relative to exception of the fraternal order of the Scandinavian Brotherhood of America from certain of its provisions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, the bill (No. 1585, Rec. No. 641) entitled "An act to amend the Greater New York charter, in relation to police matrons," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1940, Rec. No. 642) entitled "An act to fix and determine salaries of the city treasurer and city comptroller in the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2313, Rec. No. 643) entitled "An act to provide for the government and to supplement the provisions of law relating to the city of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1780, Rec. No. 644) entitled "An act to amend the Greater New York charter, relative to the department of docks and ferries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2261, Rec. No. 645) entitled "An act to amend the Code of Civil Procedure, in relation to the distribution of personal property, and to repeal subdivision 3 of section 2732," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on codes.

Also, the bill (No. 1173, Rec. No. 646) entitled "An act to protect the purchasers on sales of real estate where the deed was executed by an attorney-in-fact prior to January 1, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 726, Rec. No. 647) entitled "An act to authorize the town of Lewiston, Niagara county, to pay a certain portion of the expense of improving the highway from Lewiston to Dickersonville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2307, Rec. No. 648) entitled "An act to amend chapter 546 of the Laws of 1906, entitled 'An act to authorize the common council of the city of New Rochelle to issue and sell bonds of said city for the uses and purposes of the fire

department of said city,' relative to the rate of interest to be paid on bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2306, Rec. No. 649) entitled "An act to amend chapter 236 of the Laws of 1905, entitled 'An act to authorize the common council of the city of New Rochelle to procure an assessment map of said city, and to issue bonds in payment therefor,' relative to the rate of interest to be paid on bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2315, Rec. No. 650) entitled "An act to amend the Lien Law, in relation to liens on personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2219, Rec. No. 651) entitled "An act to amend the Domestic Commerce Law, relative to unlawful detention of milk cans, and courts having jurisdiction of violations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2310, Rec. No. 652) entitled "An act to amend chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburg,' in relation to the rate of taxation for school purposes," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

Also, the bill (No. 1157, Rec. No. 653) entitled "An act to enable John Montgomery to be admitted to practice as an attorney and counsellor-at-law of the Supreme Court of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2316, Rec. No. 654) entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 1354, Rec. No. 655) entitled "An act to amend the Forest, Fish and Game Law, in relation to protection against forest fires," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1887, Rec. No. 656) entitled "An act to annex to union free school district No. 21. of the town of Hempstead, Nassau county, a part of the territory of union free school district No. 11 of the town of Hempstead," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill (No. 2311, Rec. No. 657) entitled "An act to amend the Greater New York charter, relative to the classification of criminals and misdemeanants," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cullen, and by unanimous consent, said bill was substituted for Senate bill (No. 1085, Int. No. 863), now on the order of third reading.

Also, the bill (No. 2201, Rec. No. 658) entitled "An act to amend chapter 568 of the Laws of 1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws,' in relation to appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 371, Rec. No. 659) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse, woodcock, quail and squirrels in the county of Washington," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 2317, Rec. No. 660) entitled "An act to amend chapter 488 of the Laws of 1899, entitled 'An act authorizing the sale of property left in street surface railroad cars, and the disposition of the proceeds thereof,' relative to cabs, coaches, stages and other similar vehicles," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2326, Rec. No. 661) entitled "An act to authorize the board of supervisors of Broome county to pay certain accounts incurred in connection with the centennial celebration in said county and to levy a tax therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2154, Rec. No. 662) entitled "An act to amend chapter 421 of the Laws of 1855, entitled 'An act to regulate the liability of hotel keepers and owners and managers of steamboats navigating the waters of this State,' in relation to limiting the liability of hotel keepers in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 689, Rec. No. 663) entitled "An act to amend the Village Law, relative to powers, duties and fees of policemen," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on affairs of villages, retaining its place on the order of third reading.

Also, the bill (No. 2255, Rec. No. 644) entitled "An act to amend chapter 596 of the Laws of 1874, entitled 'An act to incorporate the Manhattan Mortgage Company,' in relation to loans on real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

The Assembly returned the Assembly bill (No. 845, Senate reprint No. 981, Rec. No. 83) entitled "An act making appropriations for the support of government," with a message that the Speaker has appointed as the committee of conference, on behalf of the Assembly, Messrs. Moreland, Rogers, Phillips, Apgar and Oliver.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2145, Rec. No. 562) entitled "An act to amend the Liquor Tax Law, in relation to State Commissioner of Excise; deputy commissioners; special deputy commissioners; excise taxes; liquor tax certificates and local option," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

Leave of absence was granted to Mr. Grady until Monday and Messrs. Franchot, Sullivan and McCall for to-day's session.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 1533, Senate reprint No. 1314, Rec. No. 377), entitled "An act to amend the Penal Code, relative to expenditures at elections."

Also, Senate bill (No. 1298, Int. No. 23) entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction."

Also, Senate bill (No. 1315, Int. No. 595) entitled "An act to authorize the board of trustees of the village of White Plains to make and enforce ordinances regarding the construction and location of buildings in said village and to appoint a building inspector."

Also, Senate bill (No. 1297, Int. No. 568) entitled "An act to regulate car service on street surface railroad in the county and borough of Queens."

Also, Senate bill (No. 1301, Int. No. 713) entitled "An act to amend chapter 518 of the Laws of 1867, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains,"' passed April 3, 1866, in relation to the powers and duties of village trustees, etc."

Also, Senate bill (No. 1316, Int. No. 554) entitled "An act to amend the Greater New York charter, relative to the duties of the corporation counsel in relation to non-collectible taxes."

Also, Senate bill (No. 1285, Int. No. 517) entitled "An act to revise the charter of the city of Binghamton."

Also, Senate bill (No. 1299, Int. No. 639) entitled "An act to provide for the appointment of policemen for the Niagara, Lockport and Ontario Power Company."

Also, Senate bill (No. 1317, Int. No. 779) entitled "An act to amend the Real Property Law, relative to furnishing certificate of recording discharge of mortgage by recording officer."

Also, Senate bill (No. 1302, Int. No. 873) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city."

Also, Senate bill (No. 1303, Int. No. 498) entitled "An act to amend chapter 167 of the Laws of 1906, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally."

Also, Senate bill (No. 1291, Int. No. 966) entitled "An act in relation to the tide gates in the Shinnecock canal in the town of Southampton, Suffolk county, and the jurisdiction of the town board over such gates."

Also, Senate bill (No. 1255, Int. No. 38) entitled "An act to amend the Labor Law and repeal chapter 9 of the Laws of 1901, relative to the organization of the department of labor."

Also, Senate bill (No. 794, Int. No. 666) entitled "An act to amend the University Law, relative to libraries."

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Allds (No. 1191, Int. No. 917), entitled "An act to amend section 321 of article 15 of the General Tax Law, in relation to the tax on transfers of stock," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Allds

(No. 1190, Int. No. 916), entitled "An act to amend the Tax Law, in relation to the payment of interest on refunds of transfer taxes in certain cases," reported in favor of the passage of the same, which report was agreed to. .

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by Mr. G. H. Whitney (No. 1643, Rec. No. 372), entitled "An act to amend the Forest, Fish and Game Law, relative to close season for deer in certain counties," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Gates (No. 1186, Int. No. 912), entitled "An act to amend the Tax Law, in relation to the exemption of bonds of union free school districts," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Saxe, from the committee on military affairs, to which was referred the Assembly bill introduced by Mr. Wells (No. 1853, Rec. No. 425), entitled "An act to amend the Military Code, relative to officers allowed to a regiment of coast artillery," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Saxe, from the committee on military affairs, to which was referred the Assembly bill introduced by Mr. Eagleton (No. 971, Rec. No. 624), entitled "An act to amend the Military Code, in relation to the compensation of day laborers employed by the Adjutant-General," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Saxe, from the committee on military affairs, to which was referred the Assembly bill introduced by Mr. Wells (No. 1244, Rec. No. 426), entitled "An act to amend the Military Code, relative to pay and allowances," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Surpless (No. 1385, Rec. No. 239), entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to trial jurors in the Municipal Court," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Foelker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Smith (No. 1373, Int. No. 1009), entitled "An act to amend the Penal Code, in relation to public morals," reported the same for the consideration of the Senate.

Ordered, That said bill be committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Brough (No. 2085, Rec. No. 579), entitled "An act to amend the Penal Code, relative to bootblacks," reported the same for the consideration of the Senate.

Ordered, That said bill be committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Knapp (No. 745, Int. No. 630), entitled "An act to amend section 687-a of the Penal Code, relative to sentencing prisoners," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Fuller (No. 1235, Int. No. 945), entitled "An act to amend the Code of Civil Procedure, relative to the trial of issues," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Fuller, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Fuller (No. 1236, Int. No. 946), entitled "An act to amend the Code of Civil Procedure, relative to pleadings in civil actions," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Fuller, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Knapp (No. 744, Int. No. 629), entitled "An act to amend the Penal Code, relating to the sentencing of certain convicts to State prisons," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Goldberg (No. 1920, Rec. No. 486), entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to drawing jurors," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by Mr. C. Smith (No. 2183, Rec. No. 616), entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing in Otsego Lake," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cobb, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Eagleton (No. 1675, Rec. No. 433), entitled "An act to amend the Penal Code, in relation to restricting the powers of peace officers in respect to photographs and measurements of prisoners," reported in favor of the passage of the same with amendments, the title being amended

to read as follows: "An act to amend the Penal Code, in relation to restricting the powers of peace officers in respect to photographs of prisoners," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hill, from the committee on codes, to which was referred the Assembly bill introduced by Mr. Cunningham (No. 62, Rec. No. 331), entitled "An act to amend the Penal Code, relative to punishment for murder in the second degree," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

The Senate bill (No. 1291, Int. No. 966) entitled "An act in relation to the tide gates in the Shinnecock canal in the town of Southampton, Suffolk county, and the jurisdiction of the town board over such gates," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 553, Rec. No. 35) entitled "An act to amend the Forest, Fish and Game Law, in relation to nets in the Hudson and Delaware rivers and adjacent waters," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|------------|------------|----------|
| Ackroyd | Cordts | Gilechrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Somer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 490, Rec. No. 49) entitled "An act to establish a ferry from the highway adjacent to the farm of George H. Huber, in the county of Essex, across Lake Champlain," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|------------|------------|----------|
| Ackroyd | Cordts | Gilechrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1400, Rec. No. 250) entitled "An act to provide that assessments due and payable after January 1,

1907, pursuant to chapter 244 of the Laws of 1878 and the acts amendatory thereof, for laying out and improving Prospect park in the city of Brooklyn, shall be paid by the city of New York, and providing for refunding of any such assessments heretofore paid," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyes | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cobalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 948, Rec. No. 257) entitled "An act empowering the comptroller of the city of New York to refund to the St. Paul's German Evangelical Reformed Church, or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |

| | | | | |
|-----------|---------|---------|------------|--------|
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 528, Rec. No. 320) entitled "An act to legalize the action of the board of directors of the Pittstown Insurance Company in borrowing money in the year 1904, and to provide for the payment thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenfug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1260, Rec. No. 327) entitled "An act to amend the Primary Election Law, relative to the application of its provisions to political parties," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1642, Rec. No. 350) entitled "An act to amend chapter 194 of the Laws of 1897, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than 150,000 and less than 190,000 and regulating and prescribing his duties,' relative to clerk hire and drawing of jurors," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 535, Rec. No. 365) entitled "An act to amend the Statutory Construction Law, in relation to registers of counties," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1397, Rec. No. 371) entitled "An act to amend chapter 823 of the Laws of 1895, entitled 'An act to regulate barbering on Sunday,' in relation to the application of such act to Saratoga Springs," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1207, Int. No. 924) entitled "An act to provide for the widening of West First street, otherwise known as West Lincoln avenue, in the city of Mount Vernon, from South Eleventh avenue in said city to the New York city line, and providing for the expense of said improvement," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1035, Int. No. 834) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 7 of article 7 of the constitution," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |

| | | | | |
|-----|---------|--------|------------|--------|
| ter | Foelker | Hooker | Raines | Wemple |
| | Frawley | Knapp | Ramsperger | White |
| | Fuller | McCall | Saxe | Wilcox |
| n | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and est their concurrence therein.

he Senate bill (No 991, Int. No. 805) entitled "An act to nd chapter 394 of the Laws of 1895, entitled 'An act to se the charter of the city of Oswego,' in relation to salaries clerk, police officers, policemen and janitors," was read the d time.

The President put the question whether the Senate would agree the final passage of said bill, the same having been printed and on the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority all the Senators elected voting in favor thereof, and three-fifths ing present, as follows:

FOR THE AFFIRMATIVE.

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|----------|---------|-----------|------------|----------|
| kroyd | Cordts | Gilchrist | McCarren | Smith |
| new | Cullen | Grattan | McManus | Sohmer |
| lds | Davis | Harte | Mullaney | Taylor |
| rmstrong | Dunn | Hasenflug | O'Neil | Thompson |
| oyce | Emerson | Heacock | Owens | Travis |
| urr | Fancher | Hill | Page | Tully |
| arpenter | Foelker | Hooker | Raines | Wemple |
| assidy | Frawley | Knapp | Ramsperger | White |
| obb | Fuller | McCall | Saxe | Wilcox |
| ohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1032, Int. No. 831) entitled "An act to release to Sophie Demers, widow of Joseph Demers, all the right, title, and interest of the people of the State of New York in and to certain real estate situated in the town of Altamont, county of Franklin, and State of New York, acquired by escheat or otherwise on the death of said Joseph Demers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1173, Int. No. 765) entitled "An act to amend the Civil Service Law, relative to examinations," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus] | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 888, Int. No. 740) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain taxes upon property in the city of New York owned by the Harlem Presbyterian Church," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

the Senators elected voting in favor thereof, and three-fifths present, as follows:

FOR THE AFFIRMATIVE.

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|--------|---------|------------|------------|----------|
| Byrd | Cordts | Gilechrist | McCarren | Smith |
| W | Cullen | Grattan | McManus | Sohmer |
| | Davis | Harte | Mullaney | Taylor |
| strong | Dunn | Hasenflug | O'Neil | Thompson |
| e | Emerson | Heacock | Owens | Travis |
| | Fancher | Hill | Page | Tully |
| enter | Foelker | Hooker | Raines | Wemple |
| idy | Frawley | Knapp | Ramsperger | White |
| b | Fuller | McCall | Saxe | Wilcox |
| alan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 875, Int. No. 731) entitled "An act to repeal section 4 of chapter 490 of the Laws of 1888, entitled 'An act for the incorporation of societies for the prevention of cruelty to animals and to amend sections 656 and 668 of the Penal Code, relating to cruelty to animals,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|------------|------------|----------|
| Ackroyd | Cordts | Gilechrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 649, Int. No. 560) entitled "An act to amend the Insanity Law, relative to the support and maintenance of patients in State hospitals," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 485, Int. No. 431) entitled "An act to amend the Greater New York charter, in relation to appropriations for the Ridgewood day nursery," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 494, Int. No. 440) entitled "An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn, in the city of New York," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 759, Int. No. 644) entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

department of said city,' relative to the rate of interest to be paid on bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2306, Rec. No. 649) entitled "An act to amend chapter 236 of the Laws of 1905, entitled 'An act to authorize the common council of the city of New Rochelle to procure an assessment map of said city, and to issue bonds in payment therefor,' relative to the rate of interest to be paid on bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2315, Rec. No. 650) entitled "An act to amend the Lien Law, in relation to liens on personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2219, Rec. No. 651) entitled "An act to amend the Domestic Commerce Law, relative to unlawful detention of milk cans, and courts having jurisdiction of violations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2310, Rec. No. 652) entitled "An act to amend chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburg,' in relation to the rate of taxation for school purposes," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

Also, the bill (No. 1157, Rec. No. 653) entitled "An act to enable John Montgomery to be admitted to practice as an attorney and counsellor-at-law of the Supreme Court of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2316, Rec. No. 654) entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill (No. 1354, Rec. No. 655) entitled "An act to amend the Forest, Fish and Game Law, in relation to protection against forest fires," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 1887, Rec. No. 656) entitled "An act to annex to union free school district No. 21. of the town of Hempstead, Nassau county, a part of the territory of union free school district No. 11 of the town of Hempstead," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill (No. 2311, Rec. No. 657) entitled "An act to amend the Greater New York charter, relative to the classification of criminals and misdemeanants," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cullen, and by unanimous consent, said bill was substituted for Senate bill (No. 1085, Int. No. 863), now on the order of third reading.

Also, the bill (No. 2201, Rec. No. 658) entitled "An act to amend chapter 568 of the Laws of 1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws,' in relation to appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 371, Rec. No. 659) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse, woodcock, quail and squirrels in the county of Washington," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 2317, Rec. No. 660) entitled "An act to amend chapter 488 of the Laws of 1899, entitled 'An act authorizing the sale of property left in street surface railroad cars, and the disposition of the proceeds thereof,' relative to cabs, coaches, stages and other similar vehicles," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2326, Rec. No. 661) entitled "An act to authorize the board of supervisors of Broome county to pay certain accounts incurred in connection with the centennial celebration in said county and to levy a tax therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2154, Rec. No. 662) entitled "An act to amend chapter 421 of the Laws of 1855, entitled 'An act to regulate the liability of hotel keepers and owners and managers of steamboats navigating the waters of this State,' in relation to limiting the liability of hotel keepers in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 689, Rec. No. 663) entitled "An act to amend the Village Law, relative to powers, duties and fees of policemen," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on affairs of villages, retaining its place on the order of third reading.

Also, the bill (No. 2255, Rec. No. 644) entitled "An act to amend chapter 596 of the Laws of 1874, entitled 'An act to incorporate the Manhattan Mortgage Company,' in relation to loans on real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

The Assembly returned the Assembly bill (No. 845, Senate reprint No. 981, Rec. No. 83) entitled "An act making appropriations for the support of government," with a message that the Speaker has appointed as the committee of conference, on behalf of the Assembly, Messrs. Moreland, Rogers, Phillips, Apgar and Oliver.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2145, Rec. No. 562) entitled "An act to amend the Liquor Tax Law, in relation to State Commissioner of Excise; deputy commissioners; special deputy commissioners; excise taxes; liquor tax certificates and local option," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

Leave of absence was granted to Mr. Grady until Monday and Messrs. Franchot, Sullivan and McCall for to-day's session.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 1533, Senate reprint No. 1314, Rec. No. 377), entitled "An act to amend the Penal Code, relative to expenditures at elections."

Also, Senate bill (No. 1298, Int. No. 23) entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction."

Also, Senate bill (No. 1315, Int. No. 595) entitled "An act to authorize the board of trustees of the village of White Plains to make and enforce ordinances regarding the construction and location of buildings in said village and to appoint a building inspector."

Also, Senate bill (No. 1297, Int. No. 568) entitled "An act to regulate car service on street surface railroad in the county and borough of Queens."

Also, Senate bill (No. 1301, Int. No. 713) entitled "An act to amend chapter 518 of the Laws of 1867, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains,"' passed April 3, 1866, in relation to the powers and duties of village trustees, etc."

Also, Senate bill (No. 1316, Int. No. 554) entitled "An act to amend the Greater New York charter, relative to the duties of the corporation counsel in relation to non-collectible taxes."

Also, Senate bill (No. 1285, Int. No. 517) entitled "An act to revise the charter of the city of Binghamton."

Also, Senate bill (No. 1299, Int. No. 639) entitled "An act to provide for the appointment of policemen for the Niagara, Lockport and Ontario Power Company."

Also, Senate bill (No. 1317, Int. No. 779) entitled "An act to amend the Real Property Law, relative to furnishing certificate of recording discharge of mortgage by recording officer."

Also, Senate bill (No. 1302, Int. No. 873) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city."

Also, Senate bill (No. 1303, Int. No. 498) entitled "An act to amend chapter 167 of the Laws of 1906, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally."

Also, Senate bill (No. 1291, Int. No. 966) entitled "An act in relation to the tide gates in the Shinnecock canal in the town of Southampton, Suffolk county, and the jurisdiction of the town board over such gates."

Also, Senate bill (No. 1255, Int. No. 38) entitled "An act to amend the Labor Law and repeal chapter 9 of the Laws of 1901, relative to the organization of the department of labor."

Also, Senate bill (No. 794, Int. No. 666) entitled "An act to amend the University Law, relative to libraries."

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Allds (No. 1191, Int. No. 917), entitled "An act to amend section 321 of article 15 of the General Tax Law, in relation to the tax on transfers of stock," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Allds

(No. 1190, Int. No. 916), entitled "An act to amend the Tax Law, in relation to the payment of interest on refunds of transfer taxes in certain cases," reported in favor of the passage of the same, which report was agreed to. .

On motion of Mr. Allds, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cobb, from the committee on forest, fish and game laws, to which was referred the Assembly bill introduced by Mr. G. H. Whitney (No. 1643, Rec. No. 372), entitled "An act to amend the Forest, Fish and Game Law, relative to close season for deer in certain counties," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Allds, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Gates (No. 1186, Int. No. 912), entitled "An act to amend the Tax Law, in relation to the exemption of bonds of union free school districts," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Saxe, from the committee on military affairs, to which was referred the Assembly bill introduced by Mr. Wells (No. 1853, Rec. No. 425), entitled "An act to amend the Military Code, relative to officers allowed to a regiment of coast artillery," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Saxe, from the committee on military affairs, to which was referred the Assembly bill introduced by Mr. Eagleton (No. 971, Rec. No. 624), entitled "An act to amend the Military Code, in relation to the compensation of day laborers employed by the Adjutant-General," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Saxe, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 485, Int. No. 431) entitled "An act to amend the Greater New York charter, in relation to appropriations for the Ridgewood day nursery," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 494, Int. No. 440) entitled "An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn, in the city of New York," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox. |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 759, Int. No. 644) entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

ll (No. 1207, Int. No. 924) entitled "An act to widening of West First street, otherwise known avenue, in the city of Mount Vernon, from South in said city to the New York city line, and pro- pense of said improvement," was read the third

put the question whether the Senate would agree ge of said bill, the same having been printed and f the members in its final form for three calendar and it was decided in the affirmative, a majority rs elected voting in favor thereof, and three-fifths s follows:

FOR THE AFFIRMATIVE.

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|-------|-----------|------------|----------|
| ts | Gilchrist | McCarren | Smith |
| n | Grattan | McManus | Sohmer |
| s | Harte | Mullaney | Taylor |
| n | Hasenflug | O'Neil | Thompson |
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| her | Hill | Page | Tully |
| ker | Hooker | Raines | Wemple |
| ley | Knapp | Ramsperger | White |
| r | McCall | Saxe | Wilcox |

47

the Clerk deliver said bill to the Assembly and concurrence therein.

l (No. 1035, Int. No. 834) entitled "Concurrent Senate and Assembly proposing an amendment article 7 of the constitution," was read the third

put the question whether the Senate would agree ge of said bill, the same having been printed and f the members in its final form for three calendar and it was decided in the affirmative, a majority rs elected voting in favor thereof, and three-fifths s follows:

FOR THE AFFIRMATIVE.

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|-------|-----------|----------|----------|
| ts | Gilchrist | McCarren | Smith |
| n | Grattan | McManus | Sohmer |
| s | Harte | Mullaney | Taylor |
| n | Hasenflug | O'Neil | Thompson |
| erson | Heacock | Owens | Travis |
| her | Hill | Page | Tully |

APRIL 23.]

Carpenter
Cassidy
Cobb
Cohalan

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Ga

Ordered, That request their co The Senate l amend chapter revise the chart of clerk, police third time.

The President to the final passa upon the desks o legislative days, of all the Senator being present, as

Ackroyd
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Allds
Armstrong
Boyce
Burr
Carpenter
Cassidy
Cobb
Cohalan

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Cullen
Davis
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Foelke
Frawle
Fuller
Gates

Ordered, That t request their conc The Senate bill release to Sophie D title, and interest o to certain real estat Franklin, and State wise on the death o time.

The President put to the final passage o upon the desks of the legislative days, and of all the Senators el

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|------------|------------|----------|
| Ackroyd | Cordts | Gilechrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Somer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 490, Rec. No. 49) entitled "An act to establish a ferry from the highway adjacent to the farm of George H. Huber, in the county of Essex, across Lake Champlain," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|------------|------------|----------|
| Ackroyd | Cordts | Gilechrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1400, Rec. No. 250) entitled "An act to provide that assessments due and payable after January 1,

1907, pursuant to chapter 244 of the Laws of 1878 and the acts amendatory thereof, for laying out and improving Prospect park in the city of Brooklyn, shall be paid by the city of New York, and providing for refunding of any such assessments heretofore paid," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 948, Rec. No. 257) entitled "An act empowering the comptroller of the city of New York to refund to the St. Paul's German Evangelical Reformed Church, or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |

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|-----------|---------|---------|------------|--------|
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 528, Rec. No. 320) entitled "An act to legalize the action of the board of directors of the Pittstown Insurance Company in borrowing money in the year 1904, and to provide for the payment thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1260, Rec. No. 327) entitled "An act to amend the Primary Election Law, relative to the application of its provisions to political parties," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

assage of said bill, the same having been printed and
ks of the members in its final form for three calendar
ys, and it was decided in the affirmative, a majority
ators elected voting in favor thereof, and three-fifths
t, as follows:

FOR THE AFFIRMATIVE.

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|---------|-----------|------------|----------|
| Cordts | Gilchrist | McCarren | Smith |
| Cullen | Grattan | McManus | Sohmer |
| Davis | Harte | Mullaney | Taylor |
| Dunn | Hasenflug | O'Neil | Thompson |
| Emerson | Heacock | Owens | Travis |
| Fancher | Hill | Page | Tully |
| Foelker | Hooker | Raines | Wemple |
| Frawley | Knapp | Ramsperger | White |
| Fuller | McCall | Saxe | Wilcox |
| Gates | | | |

47

That the Clerk deliver said bill to the Assembly and
concurrence therein.

the bill (No. 485, Int. No. 431) entitled "An act to
greater New York charter, in relation to appropria-

Ridgewood day nursery," was read the third time.
dent put the question whether the Senate would agree
assage of said bill, the same having been printed and
ks of the members in its final form for three calendar
ys, and it was decided in the affirmative, a majority
ators elected voting in favor thereof, and three-fifths
t, as follows:

FOR THE AFFIRMATIVE.

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|---------|-----------|------------|----------|
| Cordts | Gilchrist | McCarren | Smith |
| Cullen | Grattan | McManus | Sohmer |
| Davis | Harte | Mullaney | Taylor |
| Dunn | Hasenflug | O'Neil | Thompson |
| Emerson | Heacock | Owens | Travis |
| Fancher | Hill | Page | Tully |
| Foelker | Hooker | Raines | Wemple |
| Frawley | Knapp | Ramsperger | White |
| Fuller | McCall | Saxe | Wilcox |
| Gates | | | |

47

That the Clerk deliver said bill to the Assembly and
concurrence therein.

the bill (No. 494, Int. No. 440) entitled "An act to
recting a bridge over Gowanus canal in the borough
in the city of New York," was read the third time.
dent put the question whether the Senate would agree

final passage of said bill, the same having been printed and the desks of the members in its final form for three calendarative days, and it was decided in the affirmative, a majority of the Senators elected voting in favor thereof, and three-fifths present, as follows:

FOR THE AFFIRMATIVE.

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|-----|---------|-----------|------------|----------|
| | Cordts | Gilchrist | McCarren | Smith |
| | Cullen | Grattan | McManus | Sohmer |
| | Davis | Harte | Mullaney | Taylor |
| ong | Dunn | Hasenflug | O'Neil | Thompson |
| | Emerson | Heacock | Owens | Travis |
| | Fancher | Hill | Page | Tully |
| er | Foelker | Hooker | Raines | Wemple |
| | Frawley | Knapp | Ramsperger | White |
| | Fuller | McCall | Saxe | Wilcox |
| | Gates | | | |

47

ordered, That the Clerk deliver said bill to the Assembly and ask their concurrence therein.

The Senate bill (No. 759, Int. No. 644) entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingsport to revise the charter of said city, and to establish a city therein and define its jurisdiction and powers,' generally," read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and the desks of the members in its final form for three calendarative days, and it was decided in the affirmative, a majority of the Senators elected voting in favor thereof, and three-fifths present, as follows:

FOR THE AFFIRMATIVE.

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|------|---------|-----------|------------|----------|
| el | Cordts | Gilchrist | McCarren | Smith |
| | Cullen | Grattan | McManus | Sohmer |
| | Davis | Harte | Mullaney | Taylor |
| rong | Dunn | Hasenflug | O'Neil | Thompson |
| | Emerson | Heacock | Owens | Travis |
| | Fancher | Hill | Page | Tully |
| ter | Foelker | Hooker | Raines | Wemple |
| y | Frawley | Knapp | Ramsperger | White |
| | Fuller | McCall | Saxe | Wilcox |
| in | Gates | | | |

ordered, That the Clerk deliver said bill to the Assembly and ask their concurrence therein.

The Senate bill (No. 1207, Int. No. 924) entitled "An act to provide for the widening of West First street, otherwise known as West Lincoln avenue, in the city of Mount Vernon, from South Eleventh avenue in said city to the New York city line, and providing for the expense of said improvement," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1035, Int. No. 834) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 7 of article 7 of the constitution," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |

| | | | | |
|-----------|---------|--------|------------|--------|
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No 991, Int. No. 805) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1032, Int. No. 831) entitled "An act to release to Sophie Demers, widow of Joseph Demers, all the right, title, and interest of the people of the State of New York in and to certain real estate situated in the town of Altamont, county of Franklin, and State of New York, acquired by escheat or otherwise on the death of said Joseph Demers," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wileox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1173, Int. No. 765) entitled "An act to amend the Civil Service Law, relative to examinations," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus] | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wileox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 888, Int. No. 740) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain taxes upon property in the city of New York owned by the Harlem Presbyterian Church," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority

of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE..

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarten | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 875, Int. No. 731) entitled "An act to repeal section 4 of chapter 490 of the Laws of 1888, entitled 'An act for the incorporation of societies for the prevention of cruelty to animals and to amend sections 656 and 668 of the Penal Code, relating to cruelty to animals,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 649, Int. No. 560) entitled "An act to amend the Insanity Law, relative to the support and maintenance of patients in State hospitals," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 485, Int. No. 431) entitled "An act to amend the Greater New York charter, in relation to appropriations for the Ridgewood day nursery," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 494, Int. No. 440) entitled "An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn, in the city of New York," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 759, Int. No. 644) entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 164, Int. No. 85) entitled "An act relating to the publication of judicial proceedings and legal notices in the second judicial department of the State of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Gates | McCall | Saxe | Wilcox |
| Cohalan | | | | |

46

FOR THE NEGATIVE.

Fuller

1

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 471, Int. No. 418) entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish from the waters of Orange lake, in the county of Orange," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 724, Senate reprint No. 1267, Rec. No. 78) entitled "An act to repeal section 1309 of the Code of Civil Procedure, in relation to an undertaking given upon appeal," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gates | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | | | | |

46

FOR THE NEGATIVE.

Gilchrist

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 869, Int. No. 727) entitled "An act to amend the Banking Law, in relation to the lawful money reserve of banks," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |

| | | | | |
|-----------|---------|---------|------------|--------|
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1303, Int. No. 498) entitled "An act to amend chapter 167 of the Laws of 1906, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 700, Int. No. 492) entitled "An act to amend chapter 18 of the general laws, known as the County Law, relative to the issue of town obligations," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

4

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1533, Senate reprint No. 1314, Rec. No. 377) entitled "An act to amend the Penal Code, relative to expenditures at elections," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Gates | McCall | Saxe | Wilcox |
| Cohalan | | | | |

46

FOR THE NEGATIVE.

Fuller

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1302, Int. No. 873) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar

legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1080, Int. No. 858) entitled "An act to amend chapter 531 of the Laws of 1900, entitled 'An act to provide for a police pension fund for the police force of the city of Yonkers,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1317, Int. No. 779) entitled "An act to amend the Real Property Law, relative to furnishing certificate or recording discharge of mortgage by recording officer," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1285, Int. No. 517) entitled "An act to revise the charter of the city of Binghamton," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Frawley | Hooker | Raines | Wemple |
| Cassidy | Fuller | Knapp | Ramsperger | White |
| Cobb | Gates | McCall | Saxe | Wilcox |
| Cohalan | | | | |

46

FOR THE NEGATIVE.

Foelker

1

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1316, Int. No. 554) entitled "An act to amend the Greater New York charter, relative to the duties of the corporation counsel in relation to non-collectible taxes," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1301, Int. No. 713) entitled "An act to amend chapter 518 of the Laws of 1867, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains," passed April 3, 1866, in relation to the powers and duties of village trustees, etc.," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1297, Int. No. 568) entitled "An act to regulate car service on street surface railroads in the county and borough of Queens," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cullen | Gilchrist | McCarren | Saxe |
| Allde | Davis | Grattan | McManus | Sohmer |
| Boyce | Dunn | Harte | Mullaney | Taylor |
| Burr | Emerson | Hasenflug | O'Neil | Thompson |
| Carpenter | Fancher | Heacock | Owens | Travis |
| Cassidy | Foelker | Hill | Page | Tully |
| Cobb | Frawley | Hooker | Raines | Wemple |
| Cohalan | Gates | Knapp | Ramsperger | Wilcox |

40

FOR THE NEGATIVE.

Fuller McCall

2

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1407, Rec. No. 303) entitled "An act to amend chapter 724 of the Laws of 1905, entitled 'An act to provide for an additional supply of pure and wholesome water for the city of New York, and for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters, and other appurtenances for that purpose, and for the appointment of a commission with the powers and duties necessary and proper to attain these objects,' in relation to clerks, stenographers, surveyors, and other employees to commissioners," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|--------|--------------------|
| Agnew | Cobb | Foelker | Hooker | Smith ¹ |
| Allds | Cordts | Gates | Knapp | Travis |
| Armstrong | Davis | Gilchrist | O'Neil | Tully |
| Burr | Dunn | Grattan | Page | Wemple |
| Carpenter | Emerson | Heacock | Raines | Wilcox |
| Cassidy | Fancher | Hill | Saxe | |

29

FOR THE NEGATIVE.

| | | | | |
|---------|-----------|----------|------------|----------|
| Ackroyd | Fuller | McCall | Owens | Taylor |
| Cohalan | Harte | McCarren | Ramsperger | Thompson |
| Cullen | Hasenflug | McManus | Sohmer | White |
| Frawley | | | | |

16

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1263, Int. No. 534) entitled "An act authorizing the Commissioners of the Land Office to make a grant or grants of lands under the waters of Niagara river to the city of Buffalo for a pumping station site and for other municipal purposes, for a nominal consideration, and abandoning certain lands within the blue line of the Erie canal," having been announced for third reading, Mr. Armstrong moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, lines 2 and 3, strike out the word "nominal" and insert the word "suitable".

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|---------|--------|--------|
| Ackroyd | Carpenter | Emerson | Hooker | Raines |
| Agnew | Cassidy | Gates | Knapp | Tully |
| Armstrong | Cobb | Grattan | Page | White |
| Burr | Dunn | | | |

17

FOR THE NEGATIVE.

| | | | | |
|---------|-----------|----------|------------|----------|
| Boyce | Fancher | Heacock | Ramsperger | Taylor |
| Cohalan | Frawley | Hill | Saxe | Thompson |
| Cullen | Fuller | Mullaney | Smith | Wemple |
| Davis | Harte | O'Neil | Sohmer | Wilcox |
| Emerson | Hasenflug | Owens | | |

23

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Fuller | Hooker | Sohmer |
| Agnew | Cullen | Gates | McManus | Taylor |
| Boyce | Davis | Gilchrist | Mullaney | Thompson |
| Burr | Dunn | Grattan | Owens | Travis |
| Carpenter | Emerson | Harte | Page | Tully |
| Cassidy | Fancher | Hasenflug | Ramsperger | Wemple |
| Cobb | Foelker | Heacock | Smith | Wilcox |
| Cohalan | Frawley | Hill | | |

38

FOR THE NEGATIVE.

| | | |
|-----------|-------|---|
| Armstrong | White | 2 |
|-----------|-------|---|

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1298, Int. No. 23) entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allis | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1315, Int. No. 595) entitled "An act to

authorize the board of trustees of the village of White Plains to make and enforce ordinances regarding the construction and location of buildings in said village, and to appoint a building inspector," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1366, Rec. No. 415) entitled "An act empowering union free school district No. 1, of the town of White Plains, N. Y., to acquire land for the purpose of an athletic field," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Temporary President in the chair.

The Assembly bill (No. 1843, Rec. No. 452) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul a certain assessment affecting the property of the Evangelical Lutheran Church of the Atonement in the borough of Manhattan," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 922, Rec. No. 458) entitled "An act to amend the Greater New York charter, in relation to the dedication of certain lands for markets," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |

| | | | | |
|-----------|---------|---------|------------|--------|
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1941, Rec. No. 466) entitled "An act to amend chapter 579 of the Laws of 1903, entitled 'An act to enable the city of Yonkers to erect a city hall and purchase the necessary land therefor, and to provide for the issue of bonds for the payment therefor,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Alida | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1325, Rec. No. 405) entitled "An act to incorporate the Barryville and Shohola Suspension Bridge Company in Sullivan county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Frawley | Hooker | Raines | Wemple |
| Cassidy | Fuller | Knapp | Ramsperger | White |
| Cobb | Gates | McCall | Saxe | Wilcox |
| Cohalan | | | | |

46

FOR THE NEGATIVE.

Foelker

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1613, Rec. No. 468) entitled "An act to amend chapter 312 of the Laws of 1898, entitled 'An act increasing the jurisdiction of the City Court of Albany, and relative to a jury list in said court, and regulating the practice therein,' in relation to costs in said court," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1864, Rec. No. 473) entitled "An act to amend the Labor Law, relative to the issuance of employment certificates for children in factories and mercantile establishments," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1931, Rec. No. 488) entitled "An act relating to the removal of patients from hospitals in the city of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1816, Rec. No. 489) entitled "An act to legalize bonds of the village of Hoosick Falls, to be issued for

the purpose of acquiring the water supply system, property, rights and privileges of the Hoosick Falls Water Supply Company, and to renew and repair said system, and to legalize all proceedings of the board of trustees in relation thereto, including the proposition submitted to the qualified electors of said village at a special election held on the 15th day of January, 1907, and all proceedings of said board of trustees in relation and subsequent thereto, and to provide for the payment of the principal and interest of said bonds," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 822, Rec. No. 498) entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |

| | | | | |
|-----------|---------|---------|------------|--------|
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2051, Rec. No. 504) entitled "An act to amend chapter 259 of the Laws of 1900, entitled 'An act to change the name of the Justices' Court of the city of Troy to the "City Court of Troy," to prescribe the manner of the appointment of the clerk thereof, and of marshals and attendants upon said court, to increase the jurisdiction thereof, to abolish the office of constable in the city of Troy, and to regulate the practice in said court,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|----------|
| Ackroyd | Cordts | Frawley | McCarren | Smith |
| Agnew | Cullen | Gates | Mullaney | Taylor |
| Allds | Davis | Gilchrist | O'Neil | Thompson |
| Armstrong | Dunn | Grattan | Owens | Travis |
| Boyce | Emerson | Heacock | Page | Tully |
| Carpenter | Fancher | Hooker | Raines | Wemple |
| Cassidy | Foelker | Knapp | Saxe | Wilcox |
| Cohalan | | | | |

36

FOR THE NEGATIVE.

| | | |
|-------|--------|-------|
| Boyce | Fuller | Harte |
|-------|--------|-------|

3

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2041, Rec. No. 506) entitled "An act to amend chapter 747 of the Laws of 1898, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a City Court therein and define its jurisdiction and powers,' generally," was read the third time.

The President put the question whether the Senate would agree

to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2120, Rec. No. 528) entitled "An act to amend chapter 531 of the Laws of 1900, entitled 'An act to provide for a police pension fund for the police force of the city of Yonkers,'" was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2124, Rec. No. 539) entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton,'"

relative to appointment of officers and salaries of treasurer and clerk," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|------------|------------|----------|
| Ackroyd | Cordts | Gilechrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2126, Rec. No. 543) entitled "An act to amend chapter 646 of the Laws of 1905, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor,' generally," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|------------|---------|------------|------------|----------|
| Ackroyd, J | Cordts | Gilechrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1618, Rec. No. 560) entitled "An act to amend chapter 114 of the Laws of 1904, entitled 'An act to release to the owners of the fee certain minerals and mining rights acquired by the State by confiscation and by reason of alienage of the former owners thereof, in the county of Putnam,' relative to the release of such minerals and mining rights acquired by the State by purchase," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2133, Rec. No. 567) entitled "An act to amend the County Law, in relation to applying to villages the provisions thereof relating to the registration of dogs," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|--------|-----------|----------|----------|
| Ackroyd | Cordts | Gates | McCarren | Smith |
| Agnew | Cullen | Gilchrist | McManus | Sohmer |
| Allds | Davis | Grattan | Mullaney | Taylor |
| Armstrong | Dunn | Harte | O'Neil | Thompson |

| | | | | |
|-----------|---------|-----------|------------|--------|
| Boyce | Emerson | Hasenflug | Owens | Travis |
| Burr | Fancher | Heacock | Page | Tully |
| Carpenter | Foelker | Hill | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | | | | |

46

FOR THE NEGATIVE.

Hooker

1

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2132, Rec. No. 571) entitled "An act to legalize the action of the board of trustees of the village of Green Island, in reducing the width of Centre street, between Hudson avenue and George street, and authorizing the execution of releases of said land to the occupants thereof," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same, having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|-------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allids | Davis | Hartel | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger] | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1828, Rec. No. 574) entitled "An act to amend chapter 117 of the Laws of 1883, entitled 'An act to amend, consolidate, and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' relative to village taxes," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same, having been printed and

upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2176, Rec. No. 587) entitled "An act to amend the Greater New York charter, in relation to the health department pension fund," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same, having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 2141, Rec. No. 600) entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into Mecox bay, in the town of Southampton, in the county of Suffolk, and repealing chapter

628 of the Laws of 1887, chapter 257 of the Laws of 1892, and a part of chapter 29 of the Laws of 1873," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same, having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1130, Rec. No. 173) entitled "An act to amend the Greater New York charter, relative to the acquirement and operation of ferries and the acquirement of property therefor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same, having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cohalan | Foelker | Heacock | Sohmer |
| Agnew | Cordts | Frawley | Hill | Taylor |
| Allds | Cullen | Fuller | McCarren | Thompson |
| Armstrong | Davis | Gates | Owens | Travis |
| Boyce | Dunn | Grattan | Raines | Tully |
| Burr | Emerson | Harte | Ramsperger | Wemple |
| Carpenter | Fancher | Hasenflug | Smith | Wilcox |
| Cobb | | | | |

36

FOR THE NEGATIVE.

| | | | | |
|--------|---------|----------|------|------|
| Hooker | McManus | Mullaney | Page | Saxe |
| McCall | | | | |

6

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1170, Int. No. 836) entitled "An act to amend section 12 of the Forest, Fish and Game Law, as amended by section 2 of chapter 580 of the Laws of 1904," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1255, Int. No. 38) entitled "An act to amend the Labor Law and repeal chapter 9 of the Laws of 1901, relative to the organization of the department of labor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|------------|----------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug. | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |

| | | | | |
|-----------|---------|--------|------------|--------|
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1791, Rec. No. 401) entitled "An act to amend the Greater New York charter, relative to powers and duties of borough presidents," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 736, Int. No. 620) entitled "An act to authorize the extension of Riverside park in the city of New York by filling in certain land under water so as to permit the construction therein of a water-gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the City of New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Chubb | Fuller | McCall | Saxe | Wilcox |
| Chalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 794, Int. No. 666) entitled "An act to amend the University Law, relative to libraries," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and on the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Chubb | Fuller | McCall | Saxe | Wilcox |
| Chalan | Gates | | | |

47

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1127, Rec. No. 156) entitled "An act to amend the Greater New York charter, in relation to pensions of dependent parents of members of the police force," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and on the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 384, Rec. No. 347) entitled "An act to amend the Real Property Law, relative to discharge of mortgages in counties embraced in cities of the first class," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same, having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cordts | Gilchrist | McCarren | Smith |
| Agnew | Cullen | Grattan | McManus | Sohmer |
| Allds | Davis | Harte | Mullaney | Taylor |
| Armstrong | Dunn | Hasenflug | O'Neil | Thompson |
| Boyce | Emerson | Heacock | Owens | Travis |
| Burr | Fancher | Hill | Page | Tully |
| Carpenter | Foelker | Hooker | Raines | Wemple |
| Cassidy | Frawley | Knapp | Ramsperger | White |
| Cobb | Fuller | McCall | Saxe | Wilcox |
| Cohalan | Gates | | | |

47

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1243, Int. No. 953) entitled "An act to establish school district No. 1, in the town of Ossining, in Westchester county, as a union free school district, to fix the boundaries of such district, to create its board of education a body corporate and to provide for the number, qualifications, appointment and election of the members of such board," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cohalan | Gates | McCall | Saxe |
| Agnew | Cullen | Gilchrist | McCarren | Smith |
| Allds | Davis | Grattan | McManus | Sohmer |
| Armstrong | Dunn | Harte | Mullaney | Taylor |
| Boyce | Emerson | Hasenflug | Owens | Thompson |
| Burr | Fancher | Heacock | Page | Travis |
| Carpenter | Foelker | Hill | Raines | Tully |
| Cassidy | Frawley | Hooker | Ramsperger | Wemple |
| Cobb | Fuller | Knapp | | |

43

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1154, Int. No. 550) entitled "An act in relation to the Court of General Sessions of the county of New York," having been announced for third reading, Mr. Armstrong moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 2, strike out the word "shall" and insert the word "may".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly bill (No. 2096, Senate reprint No. 1272, Rec. No. 518) entitled "An act to regulate the practice of medicine, and to repeal article 8 of chapter 661 of the Laws of 1893 and acts amendatory thereof," having been announced for third reading, Mr. Cassidy moved that said bill be recommitted to the committee on public health, with instructions to said committee to report the same forthwith, amended as follows:

Page 4, strike out lines 17, 18, 19, and 20, and insert the following:

" § 5. Expenses.— The fees derived from the operation of this act shall be paid into the state treasury, and the legislature shall annually appropriate therefrom for the education department an amount sufficient to pay all proper expenses incurred pursuant to this act".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cassidy, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Cobb moved that the committee of the whole be discharged from the consideration of Senate bill (No. 445, Int. No. 121) entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses," and that said bill be amended, reprinted and recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill (No. 1562, Rec. No. 520) entitled "An act to amend the Revised Statutes, in relation to references in insolvent debtors' proceedings," having been announced for third reading, Mr. Grattan moved that said bill be recommitted to the committee on the judiciary, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 8, after the word "of" insert the word "any"; after the word "or" strike out the word "any," and after the word "demands" insert comma.

Same page, line 9, strike out the words "or claims of such estate," and the comma following.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Davis, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Assembly bill (No. 2311, Rec. No. 657) entitled "An act to amend the Greater New York charter, relative to the classification of criminals and misdemeanants," having been announced for third reading, Mr. Foelker moved that said bill be recommitted

to the committee on affairs of cities, with instructions to said committee to report the same forthwith, amended as follows:

Page 6, line 24, after the word "board" strike out the period and insert the words "and such persons are hereby declared to be peace officers within the provisions of section one hundred and fifty-four of the code of criminal procedure".

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 172, Int. No. 166) entitled "An act to amend the Greater New York charter, relative to the New York fire department relief fund and pensions," having been announced for third reading, Mr. McCall moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended by substituting new bill, Senate print (No. 1437).

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Harte moved that the committee on affairs of cities be discharged from the consideration of Assembly bill (No. 2197, Rec. No. 639) entitled "An act to amend chapter 190 of the Laws of 1878, entitled 'An act to protect the sea side boulevard and meadows adjacent thereto on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York,' in relation to the removal of sand, earth and clay," and that said bill be committed to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hill moved that the committee of the whole be discharged from the consideration of Senate bill (No. 1330, Int. No. 472)

entitled "An act to amend chapter 459 of the Laws of 1893, entitled 'An act to incorporate the Economic Power and Construction Company,' generally," and that said bill be amended, reprinted and recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Agnew moved that the committee of the whole be discharged from the consideration of Assembly bill (No. 956, Senate reprint No. 1270, Rec. No. 162) entitled "An act to amend the Membership Corporations Law, in relation to the election of managers and trustees," and that said bill be amended, reprinted and recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Allds moved that the committee of the whole be discharged from the consideration of Senate bill (No. 1331, Int. No. 766) entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages," and that said bill be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Smith offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill (No. 937, Int. No. 322) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing with nets in Hudson and Delaware rivers and adjacent waters," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the above resolution, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate bill (No. 755, Int. No. 641) entitled "An act to amend chapter 313 of the Laws of 1906, entitled 'An act to

amend chapter 644 of the Laws of 1905, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to ward boundaries," relating to the boundaries of the twenty-third and twenty-fourth wards in said city of Buffalo," was returned by the mayor of the city of Buffalo, with a certificate that a public hearing had been duly held on said bill in pursuance of law, and that the mayor had duly accepted the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the Assembly bill (No. 842, Senate reprint No. 1265, Rec. No. 108) entitled "An act to provide for the construction of intercepting sewers in and for the city of Syracuse."

Also, Assembly bill (No. 1050, Senate reprint No. 1262, Rec. No. 305) entitled "An act to amend the Election Law, in relation to changing election districts in certain towns."

Also, Assembly bill (No. 1381, Senate reprint No. 1258, Rec. No. 236) entitled "An act to amend the Penal Code in relation to the punishment of children under sixteen years of age."

Also, Assembly bill (No. 1635, Senate reprint No. 1261, Rec. No. 394) entitled "An act in relation to the County Court of Kings county and the appointment of a chief clerk and deputies and assistants therein."

Also, Assembly bill (No. 154, Senate reprint No. 1268, Rec. No. 196) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to actions by wage earners."

Also, Assembly bill (No. 1637, Senate reprint No. 1259, Rec. No. 367) entitled "An act to amend the Primary Election Law, in relation to excepting first, second and certain third class cities from special enrollment and changing date when enrollment books shall be delivered," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the Senate bill (No. 1065, Int. No. 849) entitled "An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York, in and

to certain real estate situate in the city of Buffalo, county of Erie and State of New York, acquired by escheat or otherwise upon the death of Hyronimus Wagner."

Also, Senate bill (No. 1075, Int. No. 562) entitled "An act to amend the Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county and in Chenango county."

Also, Senate bill (No. 895, Int. No. 747) entitled "An act to amend section 31 of the Insurance Law, relative to the filing and publication of statements."

Also, Senate bill (No. 1140, Int. No. 792) entitled "An act to amend section 201 of the Insurance Law, in relation to the designation of beneficiaries," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Senate bill (No. 964, Int. No. 786) entitled "An act to amend the Greater New York charter, relative to the protection of the grounds and properties of educational institutions," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 910, Int. No. 751) entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to examine, audit and allow the balance of certain claims for reimbursement and compensation for expenditures made because of damages alleged to have been suffered by reason of the changes made in the grades of certain streets pursuant to a resolution of the board of aldermen, remaining unpaid after the payment of the part of said claims authorized to be allowed by chapter 599 of the Laws of 1906," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 1027, Int. No.

642) entitled "An act to amend section 142 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter 707 of the Laws of 1900, in relation to divisions of taxes and assessments," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Buffalo for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 675, Int. No. 584) entitled "An act to authorize the city of Utica and the various departments thereof to make up and levy a tax budget during the year 1907," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of Utica for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 659, Int. No. 570) entitled "An act to amend the Greater New York charter, relative to the art commission," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said bill to the mayor of the city of New York for a hearing, pursuant to the provisions of the constitution.

The Assembly returned the Senate bill (No. 713, Assembly reprint No. 2222, Int. No. 603) entitled "An act to amend chapter 185 of the Laws of 1906, entitled 'An act to revise the charter of the city of Auburn.'"

Ordered, That the Clerk transmit said bill to the mayor of the city of Auburn for a hearing, pursuant to the provisions of the constitution.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1753, Rec. No. 381) entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled "An act to incorporate the village of Saugerties,"' in relation to the salary of clerk," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly returned the Senate bill (No. 285, Assembly reprint No. 2446, Int. No. 100) entitled "An act to amend the Agricultural Law, in relation to the suppression of infectious and contagious diseases of domestic animals."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Armstrong in the chair.

Mr. Raines offered the following:

Whereas, The Senate has learned with deep regret of the death of the father of our esteemed associate, Senator Grady; and

Whereas, We desire to express to him our sincere sympathy in the great affliction that has befallen him; therefore, be it

Resolved, That, in token of such sympathy, the Senate do now adjourn, and that the Clerk of the Senate be directed to forward Senator Grady a minute of this action of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative by a rising vote.

Whereupon, the Senate adjourned.

WEDNESDAY, APRIL 24, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. D. O. Mears.

The journal of yesterday was read and approved.

Mr. Foelker introduced a bill (Int. No. 1043) entitled "An act to amend the Real Property Law, relative to the discharge of mortgages in counties wholly embraced within cities of the first class, where the property involved lies in more than one of such counties," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on the judiciary.

Mr. Grattan introduced a bill (Int. No. 1044) entitled "An act to amend the uniform charter of cities of the second class, in relation to public markets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Ackroyd introduced a bill (Int. No. 1045) entitled "An act to amend the Railroad Law, in relation to conductors and brakemen acting as policemen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Gates introduced a bill (Int. No. 1046) entitled "An act to amend the charter of the city of Fulton, in relation to providing for a hospital fund by taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill (Int. No. 1047) entitled "An act to provide for the settlement of certain claims arising from the construction of a State lock on Saranac river, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Smith introduced a bill (Int. No. 1048) entitled "An act in relation to the filing by the supervisor of Columbia county of itemized statements of accounts heretofore audited and paid to them," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Wemple introduced a bill (Int. No. 1049) entitled "An act to make the office of the county clerk of Schenectady county a salaried office, and regulating the management of said office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Fuller introduced a bill (Int. No. 1050) entitled "An act authorizing and directing the State Water Supply Commission to devise plans for the progressive development of the water powers of the State, for the public use, under State ownership and control, and making an appropriation therefor," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Hasenflug introduced a bill (Int. No. 1051) entitled "An act to enable Samuel A. Gluck to practice pharmacy on certain conditions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, a bill (Int. No. 1052) entitled "An act to enable Henry Reiter to practice pharmacy under certain conditions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Smith introduced a bill (Int. No. 1053) entitled "An act to amend chapter 531 of the Laws of 1881, entitled 'An act for the protection of taxpayers,' in relation to the burden of proof in certain actions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hill introduced a bill (Int. No. 1054) entitled "An act to authorize the appointment by the Governor of a commission to inquire into the manner in which justice is administered in courts of inferior criminal jurisdiction, other than courts of general session, in cities of the first class, including their methods of procedure, and directing said commission to report to the Legislature thereon, with recommendations, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Davis introduced a bill (Int. No. 1055) entitled "An act to amend the Insurance Law, in relation to the power of the Superintendent of Insurance to authorize the use of additional forms of policies to be issued and delivered by domestic life insurance companies within this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

The Assembly sent for concurrence the bill (No. 2354, Rec. No. 665) entitled "An act to amend chapter 295, entitled 'An act relating to the moneys received by the town of Hounsfield from the sale of stock in the Carthage, Watertown and Sacketts Harbor

Railroad Company,' relative to the care and custody of such moneys, and the accounting and removal of Railroad Commissioner," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 1858, Rec. No. 666) entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section 3 of article 2 of the constitution, in relation to the qualification of certain voters," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1505, Rec. No. 667) entitled "An act in relation to the widening and improvement of One Hundred and Thirty-fifth street west of St. Nicholas avenue, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 1869, Rec. No. 668) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William W. Bryan for damages arising from the sale by the State Comptroller of the north half of lot No. 7, great lot No. 7, 17th allotment, Kayaderosseras patent, for the alleged nonpayment of the taxes of 1896, town of Greenfield, Saratoga county, at tax sale of 1900, alleged to have been sustained by him, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1481, Rec. No. 669) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit, and determine the alleged claim of the First National Bank of Ellenville, N. Y., against the State of New York, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1717, Rec. No. 670) entitled "An act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition, or property of any corporation, joint-stock association, co-

partnership, or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds, or property, or part thereof, of said corporation, joint-stock association, copartnership, or individual, than the said shares, bonds, or property shall really and in fact possess, and providing a penalty therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2342, Rec. No. 671) entitled "An act to amend the Code of Civil Procedure, relative to fixing costs and allowances in Surrogates' Courts, and the amount thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2296, Rec. No. 672) entitled "An act to amend the charter of the city of New Rochelle, in relation to the salary of the clerk of the board of education," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2172, Rec. No. 673) entitled "An act to provide for the widening of West First street, otherwise known as West Lincoln avenue, in the city of Mount Vernon, from South Eleventh avenue in said city, to the New York city line, and providing for the expense of said improvement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2070, Rec. No. 674) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit, and determine the alleged claim of Daniel F. Strobel and Dennis Moynahan, doing business under the firm name of Stroebel and Moynahan, against the State for damages alleged to have been sustained by them and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2339, Rec. No. 675) entitled "An act to amend the Greater New York charter, in relation to licensing auctioneers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2355, Rec. No. 676) entitled "An act to amend the Railroad Law, in relation to the protection of street railroad employees, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill (No. 2158, Rec. No. 677) entitled "An act to establish a pension fund for the paid fire department of the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2156, Rec. No. 678) entitled "An act to authorize the common council of the city of Yonkers to establish sewage disposal plants in the seventh ward, as now established, in the city of Yonkers, and to empower the common council of said city to raise the necessary funds therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill (No. 2353, Rec. No. 679) entitled "An act to amend the Labor Law, relative to children working in streets and public places in cities of the first or second class," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 257, Rec. No. 680) entitled "An act to legalize the issuing of bonds of the town of Franklin, in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of defraying the expense of filling in and repairing a portion of the highway leading from Loon Lake to Bloomingdale, known as the 'Long Crossway,' in said town; and to provide for the payment of the principal and interest thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1993, Rec. No. 681) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit, and determine the alleged claim of Oliver A. Quayle against the State for damages alleged to have been sustained by him, and to render judgment therefor," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 2330, Rec. No. 682) entitled "An act to amend chapter 167 of the Laws of 1906, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Also, the bill (No. 2341, Rec. No. 683) entitled "An act to amend the Navigation Law, relative to authorizing temporary assignments of the inspectors of steam vessels to the department of labor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, the bill (No. 1479, Rec. No. 684) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit, and determine the alleged claim of A. L. Greene against the State for expenses incurred as a deputy factory inspector, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 376, Rec. No. 685) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit, and determine the alleged claim of Manheim Brown, against the State, for damages alleged to have been sustained by him, and to render judgment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill (No. 1485, Rec. No. 686) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Chenango county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on forest, fish and game laws.

Also, the bill (No. 2356, Rec. No. 687) entitled "An act to amend the Public Health Law by defining optometry and regulating the practice thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, the bill (No. 1997, Rec. No. 688) entitled "An act to amend the Code of Criminal Procedure, in relation to what persons are vagrants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

Also, the bill (No. 2312, Rec. No. 689) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Also, the bill (No. 2340, Rec. No. 690) entitled "An act to amend the Penal Code, relative to ticket speculators, concerning public places of amusement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on codes.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the mayor of the city of Hornell, requesting the return to the Assembly of Assembly bill (No. 1999, Rec. No. 467) entitled "An act to amend chapter 288 of the Laws of 1906, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1221, Rec. No. 254) entitled "An act to provide for supplying the village of McGrawville with water, to authorize said village to incur indebtedness therefor and to create a board of water commissioners for said village," for the purpose of amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Governor, by the hands of his secretary, returned, without executive approval, the Senate bill (No. 576, Int. No. 495) entitled "An act to amend chapter 109 of the Laws of 1897, entitled 'An act to extend the time for the Davenport, Middleburgh and Durham Railroad Company to begin the construction of its road and expend thereon 10 per centum of its capital and finish and put the same in operation,' as amended by chapter 141 of the Laws of 1902, by further extension of time." (For veto message see Appendix.)

Mr. Heacock moved that said bill and the accompanying message be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Assembly was received, in the words following:

IN ASSEMBLY, *April 23, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill (No. 839, Senate reprint No. 926, Reprint No. 2314, Rec. No. 185) entitled "An act to amend chapter 233 of the Laws of 1884, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga, and for post-mortem examinations in coroners' cases in said county.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Hammond, said bill was recommitted to the committee on internal affairs of towns and counties with instructions to said committee to report the same forthwith, amended as follows:

Page 2, line 1, after "salary" insert [and strike out other [s.

Page 2, line 2, strike out "two" also strike out [] ; also after "dollars" insert] and the following, "to be fixed by the board of supervisors of said county and paid"; also inclose "in which" in brackets and after "which" insert "as the salaries of".

Page 2, line 3, inclose "are now paid" in brackets.

Page 2, line 4, after "allowances" insert [and after "law" insert] and strike out down to and including "duties" in line 6.

Page 2, line 6, before " and " insert [.

Page 2, line 7, strike out " or allowance for personal expenses ".

Page 2, line 9, after " coroners " insert] .

Said bill, as amended, was read the third time and passed, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

By order,

A. E. BAXTER,

Clerk.

Mr. White moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|------------|
| Ackroyd | Cohalan | Gates | Hooker | Ramsperger |
| Agnew | Cullen | Gilchrist | Knapp | Saxe |
| Allds | Davis | Grattan | McCarren | Smith |
| Armstrong | Dunn | Harte | McManus | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Carpenter | Foelker | Heacock | Owens | Thompson |
| Cassidy | Frawley | Hill | Page | White |
| Cobb | Fuller | Hinman | Raines | Wilcox |

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Said bill, as amended, was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|------------|
| Ackroyd | Cohalan | Gates | Hooker | Ramsperger |
| Agnew | Cullen | Gilchrist | Knapp | Saxe |
| Allds | Davis | Grattan | McCarren | Smith |
| Armstrong | Dunn | Harte | McManus | Sullivan |
| Boyce | Emerson | Hasenflug | O'Neil | Taylor |
| Carpenter | Foelker | Heacock | Owens | Thompson |
| Cassidy | Frawley | Hill | Page | White |
| Cobb | Fuller | Hinman | Raines | Wilcox |

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Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

Pursuant to concurrent resolution of the Senate and Assembly, the mayor of New York returned for amendment Senate bill (No. 761, Int. No. 177) entitled "An act to amend the Greater New York charter by enacting a new section, to be known as section 823-e, relative to the acquirement of certain water front property between Montgomery street and East Sixteenth street, on the East river, borough of Manhattan, city of New York."

Mr. Mullaney moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|----------|------------|
| Ackroyd | Cohalan | Gates | Knapp | Ramsperger |
| Agnew | Cordts | Grattan | McCarren | Saxe |
| Allds | Davis | Harte | McManus | Smith |
| Armstrong | Emerson | Hasenflug | Mullaney | Thompson |
| Boyce | Fancher | Heacock | O'Neil | Travis |
| Carpenter | Foelker | Hill | Owens | White |
| Cassidy | Frawley | Hinman | Raines | Wilcox |
| Cobb | Fuller | Hooker | | |

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Mr. Mullaney moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith, with the title amended to read as follows: "An act to amend the Greater New York charter, relative to the department of docks and ferries."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
ALBANY, April 23, 1907.

To the Senate:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Senate bill (No. 937, Int.

No. 322) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing with nets in Hudson and Delaware rivers and adjacent waters."

CHARLES E. HUGHES.

Mr. Smith moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allis | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

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Mr. Smith moved that said bill be recommitted to the committee on forest, fish and game laws, with instructions to said committee to report the same forthwith, amended as follows:

Page 1, line 8, strike out " the " after the word " waters ".

Page 2, line 1, after the word " river " insert the words " with nets operated by hand only "; also thereafter, before the word " and " insert a bracket.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cobb, from the committee on forest, fish and game laws, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Agnew, from the committee on engrossed bills, reported, as correctly printed and engrossed, the Assembly bill (No. 1563, Senate reprint No. 1339, Rec. No. 342) entitled "An act relating to the public printing of Clinton county."

Also, Assembly bill (No. 836, Senate reprint No. 1335, Rec. No. 291) entitled "An act making appropriations for the State charitable institutions, the New York State School for the Blind, the Elmira Reformatory, and the Eastern New York Reformatory."

Also, Assembly bill (No. 1530, Senate reprint No. 1336, Rec. No. 322) entitled "An act authorizing the selection of lands as a site for the Eastern New York State Custodial Asylum, and establishing the said asylum."

Also, Assembly bill (No. 1223, Senate reprint No. 1337, Rec. No. 204) entitled "An act to amend the Agricultural Law, in relation to the sale at retail of renovated butter."

Also, Senate bill (No. 1344, Int. No. 230) entitled "An act to amend chapter 294 of the Laws of 1904, entitled 'An act to make the office of sheriff of Orleans county a salaried one, in part, and to regulate the management thereof,' in relation to salary of under sheriff."

Also, Senate bill (No. 1341, Int. No. 130) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to fees payable to clerks."

Also, Senate bill (No. 1340, Int. No. 555) entitled "An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village."

Also, Senate bill (No. 1345, Int. No. 378) entitled "An act to amend the Tax Law, relative to the taxation of personal property."

Also, Senate bill (No. 1342, Int. No. 420) entitled "An act to amend sections 182, 184, 186, 190 and 195 of the Tax Law, in relation to the taxation of corporations."

Also, Senate bill (No. 1346, Int. No. 703) entitled "An act to amend the Tax Law, relative to certain exemptions."

Also, Senate bill (No. 1343, Int. No. 270) entitled "An act to amend the General City Law, in relation to plumbers."

Also, Senate bill (No. 1323, Int. No. 984) entitled "An act to amend the Greater New York charter, relative to the department of docks and ferries."

Also, Senate bill (No. 1324, Int. No. 985) entitled "An act authorizing the board of commissioners of the sinking fund in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society."

Also, Senate bill (No. 1347, Int. No. 136) entitled "An act to authorize the building of a dike or dikes for the protection of property adjacent to the Delaware river in the village of Port Jervis, and making an appropriation therefor."

Also, Senate bill (No. 1333, Int. No. 313) entitled "An act to provide further buildings and other facilities at the New York Agricultural Experiment Station, and making an appropriation therefor."

Also, Senate bill (No. 1334, Int. No. 521) entitled "An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment."

Also, Senate bill (No. 1332, Int. No. 867) entitled "An act making an appropriation for the national encampment of the Grand Army of the Republic to be held in the village of Saratoga Springs in the month of September, 1907."

Also, Senate bill (No. 1007, Int. No. 822) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds."

Also, Senate bill (No. 1008, Int. No. 823) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for grouse."

Also, Senate bill (No. 1009, Int. No. 824) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for woodcock."

Also, Senate bill (No. 1186, Int. No. 912) entitled "An act to amend the Tax Law, in relation to the exemption of bonds of union free school districts."

Also, Senate bill (No. 1190, Int. No. 916) entitled "An act to amend the Tax Law, in relation to the payment of interest on refunds of transfer taxes in certain cases."

Also, Senate bill (No. 1191, Int. No. 917) entitled "An act to amend section 321 of article 15 of the General Tax Law, in relation to the tax on transfers of stock."

Also, Senate bill (No. 1331, Int. No. 766) entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages."

Mr. Gates, from the committee on banks, to which was referred the Assembly bill introduced by Mr. A. E. Smith (No.

1958, Rec. No. 442), entitled "An act to amend the Banking Law, in relation to time of making reports," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gates, from the committee on banks, to which was referred the Assembly bill introduced by Mr. Wainwright (No. 2255, Rec. No. 664), entitled "An act to amend chapter 596 of the Laws of 1874, entitled 'An act to incorporate the Manhattan Mortgage Company,' in relation to loans on real estate," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Carpenter, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Wilcox, from the committee on railroads, to which was referred the Assembly bill introduced by Mr. Surpless (No. 1110, Rec. No. 238), entitled "An act to amend the Railroad Law, in relation to imposing on certain railroad corporations, in cities of the first class, the duty of placing upon cars the name of the operating company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. McManus (No. 1325, Int. No. 986), entitled "An act to employ and use electric motive power instead of steam by the New York and East River Railroad Company, a corporation organized pursuant to and in conformity with the laws of the State of New York, and to extend the time to complete the construction of said railroad to July 1, 1910," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wilcox, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Heacock (No. 1158, Int. No. 898), entitled "An act to amend an act, entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad, and to regulate the weight of rail and the fare on the same,' passed May 8, 1867," reported the same for the consideration of the Senate.

Ordered, That said bill be restored to its place on the order of third reading.

Mr. Wilcox, from the committee on railroads, to which was referred the Assembly bill introduced by Mr. Geoghegan (No. 1377, Rec. No. 216), entitled "An act to amend the Railroad Law, in relation to protection of street railroad employees in the counties of Kings and Queens," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. G. H. Whitney (No. 1967, Rec. No. 607), entitled "An act to amend section 1 of chapter 242 of the Laws of 1899, entitled 'An act authorizing the acquisition of lands by the United States for the purpose of erecting public buildings thereon for post-offices and other government offices in the cities of this State, and ceding jurisdiction over such lands,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Wemple, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill, introduced by Mr. Knapp (No. 262, Int. No. 250), entitled "An act to amend chapter 670 of the Laws of 1906, entitled 'An act to establish a new State prison in the eastern part of the State to take the place of Sing Sing prison; to authorize the Governor to appoint a commission to select and purchase a site,' in relation to such site and transfer of prisoners thereto, and making an additional appropriation," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Knapp, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Moreland (No. 1862, Senate reprint No. 1392, Rec. No. 439), entitled "An act to amend chapter 734 of the Laws of 1904, entitled 'An act to establish a permanent commission for the regulation of the flow of water courses in this State in aid of the public health and safety, to be known as the river improvement commission,' in relation to authority of commission to perform the work and to

issue certificates and bonds in payment therefor," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill, introduced by the committee on ways and means (No. 836, Senate reprint No. 1335, Rec. No. 291), entitled "An act making appropriations for the State charitable institutions, the New York State school for the blind, the Elmira reformatory, and the Eastern New York reformatory," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill, introduced by Mr. Burr (No. 1293, Int. No. 968), entitled "An act authorizing the Commissioners of the Land Office to convey a tract of land situated at Kings Park, in the town of Smithtown, Suffolk county, and forming part of the lands of the Kings Park State hospital, in exchange for certain other land situated at Kings Park, in the town of Smithtown, Suffolk county, for the use of the said Kings Park State hospital," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Burr, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill, introduced by the committee on finance (No. 891, Int. No. 743), entitled "An act to amend chapter 338 of the Laws of 1894, entitled 'An act relating to canals, constituting chapter 13 of the general laws,' in relation to the general powers and duties of the Superintendent of Public Works," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Armstrong, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 1287, Int. No. 962), entitled "An act authorizing the board of managers of the Utica State hospital to sell certain lands belonging

to such hospital and providing for the disposal of the proceeds of such sale," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ackroyd, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Armstrong, from the committee on finance, to which was referred the Assembly bill introduced by Mr. Brooks (No. 1522, Rec. No. 428), entitled "An act to amend chapter 256 of the Laws of 1900, entitled 'An act to provide for the erection of an armory in the city of Buffalo, for the use of the Sixty-fifth Regiment, National Guard, and making an appropriation therefor, providing for the purchase of a site for such armory and the taking of real estate therefor,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hill, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Page moved to take from the table the motion to reconsider the vote by which the Assembly bill (No. 1515, Rec. No. 310), entitled "An act to amend the Transportation Corporation Law, in relation to the corporations for the generation and distribution of music electrically," was lost.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Page moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was determined in the affirmative.

By direction of the President, the Clerk called the roll, when the following Senators responded:

| | | | | |
|-----------|---------|-----------|------------|----------|
| Agnew | Cohalan | Gilchrist | McCarren | Sohmer |
| Allis | Cullen | Grattan | O'Neil | Taylor |
| Armstrong | Davis | Harte | Owens | Thompson |
| Boyce | Dunn | Hasenflug | Page | Travis |
| Burr | Foelker | Hill | Raines | Tully |
| Carpenter | Frawley | Hinman | Ramsperger | Wemple |
| Cassidy | Fuller | Hooker | Saxe | White |
| Cobb | Gates | Knapp | Smith | Wilcox |

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the Senate with Messrs. Heacock, McCall, Cordts, each of whom was excused.

Mr. Page moved that all further proceedings under the call of the Senate be suspended.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|----------|------------|--------|
| Agnew | Cordts | Hill | Page | Taylor |
| Allds | Cullen | Hinman | Raines | Travis |
| Armstrong | Davis | Hooker | Ramsperger | Tully |
| Burr | Dunn | McCall | Saxe | Wemple |
| Carpenter | Fuller | McCarren | Smith | White |
| Cassidy | Gates | O'Neil | Sohmer | Wilcox |
| Cobb | Heacock | Owens | | |

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FOR THE NEGATIVE.

| | | | | | |
|-------|---------|-------|-----------|---------|---|
| Boyce | Cohalan | Harte | Hasenflug | McManus | 5 |
|-------|---------|-------|-----------|---------|---|

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|----------|------------|--------|
| Ackroyd | Cordts | Heacock | O'Neil | Sohmer |
| Agnew | Davis | Hill | Owens | Taylor |
| Allds | Dunn | Hinman | Page | Travis |
| Armstrong | Foelker | Hooker | Raines | Tully |
| Burr | Fuller | Knapp | Ramsperger | Wemple |
| Carpenter | Gates | McCall | Saxe | White |
| Cassidy | Gilchrist | McCarren | Smith | Wilcox |
| Cobb | Grattan | | | |

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FOR THE NEGATIVE.

| | | | | | |
|---------|---------|-----------|---------|----------|---|
| Boyce | Cullen | Harte | McManus | Thompson | 8 |
| Cohalan | Frawley | Hasenflug | | | |

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1563, Senate reprint No. 1339, Rec. No. 342) entitled "An act relating to the public printing of Clinton county," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Harte | McManus | Sohmer |
| Agnew | Davis | Hasenflug | O'Neil | Sullivan |
| Allds | Dunn | Heacock | Owens | Taylor |
| Armstrong | Fancher | Hill | Page | Thompson |
| Boyce | Foelker | Hinman | Raines | Tully |
| Carpenter | Fuller | Hooker | Ramsperger | Wemple |
| Cassidy | Gates | Knapp | Saxe | White |
| Cobb | Gilchrist | McCarren | Smith | Wilcox |
| Cordts | Grattan | | | |

42

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1304, Int. No. 806) entitled "An act to establish and maintain a water department in and for the city of Cortland," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cohalan | Hasenflug | Mullaney | Sohmer |
| Agnew | Davis | Heacock | O'Neil | Sullivan |
| Allds | Dunn | Hill | Owens | Taylor |
| Armstrong | Foelker | Hinman | Page | Thompson |
| Boyce | Fuller | Hooker | Raines | Wemple |
| Carpenter | Gates | Knapp | Ramsperger | White |
| Cassidy | Grattan | McCarren | Saxe | Wilcox |
| Cobb | Harte | McManus | Smith | |

39

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1340, Int. No. 555) entitled "An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cohalan | Harte | McManus | Sohmer |
| Agnew | Davis | Hasenflug | O'Neil | Sullivan |
| Allis | Dunn | Heacock | Owens | Taylor |
| Armstrong | Foelker | Hill | Page | Thompson |
| Boyce | Fuller | Hinman | Raines | Tully |
| Carpenter | Gates | Hooker | Ramsperger | Wemple |
| Cassidy | Gilchrist | Knapp | Saxe | White |
| Cobb | Grattan | McCarren | Smith | Wilcox |

40

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1341, Int. No. 130) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to fees payable to clerks," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|---------|-----------|------------|----------|
| Ackroyd | Cohalan | Hasenflug | O'Neil | Sullivan |
| Agnew | Davis | Heacock | Owens | Taylor |
| Allis | Dunn | Hill | Page | Thompson |
| Armstrong | Foelker | Hinman | Raines | Tully |
| Boyce | Fuller | Hooker | Ramsperger | Wemple |
| Carpenter | Gates | Knapp | Saxe | White |
| Cassidy | Grattan | McCarren | Smith | Wilcox |
| Cobb | Harte | McManus | Sohmer | |

39

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1220, Int. No. 410) entitled "An act to amend the Banking Law, in relation to the superintendent taking possession of banks or individual bankers property and giving

notice thereof and forbidding subsequent payments and clearances," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Dunn | Hasenflug | Mullaney | Sullivan |
| Allids | Foelker | Heacock | O'Neil | Taylor |
| Armstrong | Frawley | Hinman | Owens | Travis |
| Boyce | Fuller | Hooker | Raines | Tully |
| Cassidy | Gates | Knapp | Ramsperger | Wemple |
| Cohalan | Gilchrist | McCarren | Smith | White |
| Cordts | Grattan | McManus | Sohmer | Wilcox |
| Cullen | Harte | | | |

37

FOR THE NEGATIVE.

| | | | |
|-------|-----------|------|---|
| Agnew | Carpenter | Page | 2 |
|-------|-----------|------|---|

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1105, Rec. No. 299) entitled "An act to provide for the construction of extensions of the building in the Central park, in the city of New York, occupied by the Metropolitan Museum of Art, and for the changing, equipping and fitting up of such building and extensions," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allids | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1223, Senate reprint No. 1337, Rec. No. 204) entitled "An act to amend the Agricultural Law, in relation to the sale at retail of renovated butter," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Assembly bill (No. 1530, Senate reprint No. 1336, Rec. No. 322) entitled "An act authorizing the selection of lands as a site for the Eastern New York State Custodial Asylum, and establishing the said asylum," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same, with amendments.

The Senate bill (No. 1334, Int. No. 521) entitled "An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1017, Rec. No. 551) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situated within the boundaries of school districts in the towns of Hyde Park and Poughkeepsie, Dutchess county, New York," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |

| | | | | |
|-----------|-----------|----------|------------|--------|
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Assembly bill (No. 1379, Senate reprint No. 1166, Rec. No. 214) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district, and the Appellate Division thereof in the first department,' in relation to salary of clerks to justices," having been announced for third reading, Mr. Cohalan moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith amended by restoring same to its original form (Assembly print No. 1379).

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. White, from the committee on affairs of cities, reported said bill (Assembly print No. 1379) amended as directed.

Said bill was then read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cullen | Harte | Mullaney | Sohmer |
| Allds | Fancher | Hasenflug | Owens | Taylor |
| Boyce | Foelker | Heacock | Page | Thompson |
| Carpenter | Frawley | McCall | Ramsperger | Wemple |
| Cohalan | Gilchrist | McCarren | Smith | Wilcox |
| Cordts | Grattan | McManus | | |

28

FOR THE NEGATIVE.

| | | | | |
|-----------|--------|--------|--------|-------|
| Agnew | Cobb | Gates | Hooker | Tully |
| Armstrong | Dunn | Hill | O'Neil | White |
| Cassidy | Fuller | Hinman | Raines | |

14

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1324, Int. No. 985) entitled "An act authorizing the board of commissioners of the sinking fund in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1333, Int. No. 313) entitled "An act to provide further buildings and other facilities at the New York Agricultural Experiment Station, and making an appropriation therefor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1347, Int. No. 136) entitled "An act to authorize the building of a dike or dikes for the protection of property adjacent to the Delaware river in the village of Port Jervis, and making an appropriation therefor," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

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|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1007, Int. No. 822) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate bill (No. 1008, Int. No. 823) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for grouse," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

.48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1890, Rec. No. 461) entitled "An act to authorize the city of Little Falls, N. Y., to enlarge, improve, and perfect its supply of pure and wholesome water, and to issue bonds to raise money for such purposes," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

48

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate has concurred in the passage of the same.

The Senate bill (No. 1009, Int. No. 824) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for woodcock," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

48

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill (No. 1582, Rec. No. 406) entitled "An act to amend the Forest, Fish and Game Law, in relation to taking certain fish in the waters of Silver lake," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form for three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

| | | | | |
|-----------|-----------|-----------|------------|----------|
| Ackroyd | Cordts | Grattan | McManus | Sohmer |
| Agnew | Cullen | Harte | Mullaney | Sullivan |
| Allds | Davis | Hasenflug | O'Neil | Taylor |
| Armstrong | Dunn | Heacock | Owens | Thompson |
| Boyce | Fancher | Hill | Page | Travis |
| Burr | Foelker | Hinman | Raines | Tully |
| Carpenter | Frawley | Hooker | Ramsperger | Wemple |
| Cassidy | Fuller | Knapp | Saxe | White |
| Cobb | Gates | McCall | Smith | Wilcox |
| Cohalan | Gilchrist | McCarren | | |

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